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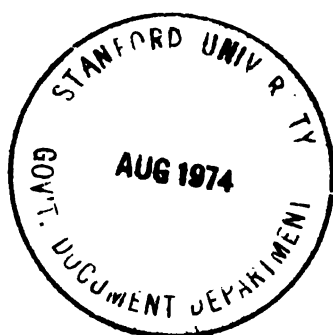
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NON - CIRCULATING

AN
IMPARTIAL REPORT
OF THE
DEBATES
THAT OCCUR IN THE
TWO HOUSES OF PARLIAMENT,
In the Course of the Second Session of the Eighteenth Parlia-
ment of Great Britain, called to meet at Westminster,
on Tuesday the 27th of September, 1796.
WITH
SOME ACCOUNT OF THE RESPECTIVE SPEAKERS,
AND
NOTES AND ILLUSTRATIONS.
INCLUDING COPIES OF ALL
STATE PAPERS, TREATIES, CONVENTIONS, &c.

By WILLIAM WOODFALL,
AND ASSISTANTS.

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THE SECOND VOLUME

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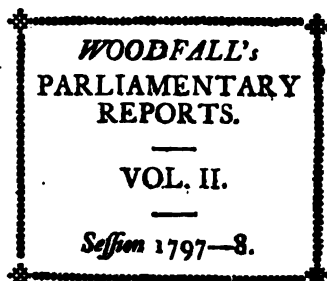
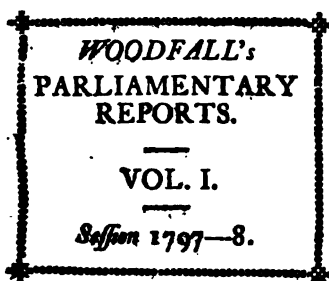
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TO THE BINDER.

*THE Binder is desired to cancel pages 425 and 426,
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Number of Vol. II. in their stead.*



TO THE PUBLIC.

WHEN the Reporter last took the liberty to address his Readers, he felt it incumbent on him to say something on the great political events that had just occurred—the glorious victory of Admiral Duncan, the rupture of the Negotiation for Peace with France at Lisle, and the secession of some of the leading Members of Opposition from both Houses of Parliament. Since the commencement of the Session, a variety of events have happened at home and abroad, highly important in themselves, and not only deeply interesting to this country, on their first view, but likely to become still more so in their probable consequences.

The French Directory, actuated by the most insatiable ambition, have gone the length of pronouncing a formal and authoritative decree of *bellum internecinum* against Great Britain; and, considering it as another Carthage, have vowed destruction to its Government, and its Constitution. Nothing can exceed the violence of their proceedings to this point, or the implacable resentment manifested in every step they have taken to avow and to execute their fell purpose. The great and important preparations they are well known to be engaged in, not only at the ports of their own maritime frontier, but at those of their neighbouring Vassals and Tributaries (whom they deck with the mock title of Allies, to render them the more contemptible in the scale of nations), and the expence they are daily incurring in those preparations, put it beyond all doubt that they are in earnest, and that a serious attack is meditated either against Great Britain or Ireland: most proba-

bly the latter, but a few weeks will put it place of question. In proportion as this effort is desperate, the means resorted to by the French Directory to enflame the passions of their armies, and of the people of the Republic, and to incite their fury against the English, have been scandalous and disgraceful. Having arrogantly assumed the title of the *Great Nation*, the Republic of France has stooped to every thing that was derogatory to a state, and degrading to individuals. The grossest calumnies, assertions false upon the face of them, and the lowest lies have been circulated and given to the Public of Paris from the rostrum of the Councils. Men in elevated situations in their Senate have not blushed to avow themselves the accusers of this country on grounds the most improbable : nay, they have even ventured with unparalelled malignity, and the most shameless falsehood, to alledge charges, to which the received opinion of the national character of Great Britain would be a sufficient answer, if it did not happen that every fact stated is notoriously, and demonstrably the reverse of the truth. The Reader will easily conceive that the false and scandalous libel on the humanity of the English in respect to their treatment of the French prisoners, in his report recently pronounced in the Council of Five Hundred by Riou, is, among many other instances of enormous misrepresentation, here alluded to—a libel, of which every man of common feeling had much rather be the subject, than the author or orator.

The machinations and intrigues of the French in Germany and in Italy, pretty strongly evince what *very good* friends they shew themselves to be, when they are once shaken hands with. It proves, as well as their late conduct in Holland, in Switzerland, and in Spain, that their fraternal embrace is the embrace of political death. Heaven avert that they should ever be beard to beard with Englishmen! but though it would be in the highest degree weak and imprudent to despise

despise the menaces of an enemy, whose military prowess has atchieved wonders, and before whose enthusiasm and perseverance difficulties, apparently insurmountable, have sunk to nothing, *nil desperandum* should be the feeling of every Englishman, if true to themselves. Englishmen will join heart and hand in strengthening the Government, and assisting its active exertions for the defence of Great Britain and Ireland.

We have reason to believe, that every measure for our protection, that sagacity could suggest or prudence could provide, has been adopted by Administration, and, as far as practicability would permit, carried into effectual execution. Let not Englishmen, therefore, who are less personally interested than Ministers (as the latter will undoubtedly be the first object of French vengeance, should French ambition be gratified, and their arms prove victorious in their menaced and mad attempts to overthrow our Constitution and Government) have ultimately the mortification to be obliged to reproach themselves with supineness and a lack of spirit, when the exigency of the crisis so urgently calls for the united energy of the whole kingdom. It is not for men of great fortune to come vauntingly forward with a slender portion of their overgrown wealth, nor the grudging sparing of the rich miser to be cautiously delivered at the Bank for the public defence, with a fallacious view to prove their patriotism, that can support the national cause against the daring efforts of the ferocious foe, with whom, if their threats be verified, as most of their menaces, it must be confessed, have been, we are to fight, not only for every thing that is dear to Englishmen in a constitutional sense, but for our property, our religion, and our existence. Let the man of large fortune look at the greatness of the danger, that his extent and quantum of property will throw around him, should the French succeed in their attempt, and he will learn to appreciate the value of the best insurance of protection by an early, a large, and a liberal contribution to further

and facilitate the means of public defence. Wise and deep reflecting men have favoured the publick with their sentiments on this subject, and they concur in opinion, that too high a price cannot be paid for the preservation of the blessings we enjoy under our excellent Constitution; like specks in the sun there may be imperfections in it, and abuses practised under it, but with all the imperfections; and all the abuses that the most perverted minds of the disaffected can even pretend to alledge, is there one man of common sense, however factious his inclinations, however warped his imagination, or however poisoned his mind may be with French principles and French politics, who will seriously lay his hand on his heart and conscientiously declare, that the liberty, and all its consequences, which Englishmen enjoy under the British Constitution, such as it is at this time, compared with the fruits of French freedom and fraternity, does not weigh in the scale as "the happiness of the blessed balanced against the torments of the damned."

The Reporter is aware that he uses a strong image, but this is not a moment to affect a delicacy of language liable to endanger the loss of the writer's meaning. Men who take upon them to submit their sentiments to their fellow subjects must speak out, or they had better be silent altogether. It is no small consolation to see, that his Majesty's contribution to the publick cause has awakened the general feeling, and that the people are at length roused from the unaccountable apathy in which they had appeared to be plunged. Perhaps the secession of the leaders of Opposition from Parliament, and their unwarrantable dereliction of their public duty was the primary cause of that apathy. It is natural for men, conscious of being less intelligent, and less gifted with ability and talents than the objects of their admiration, the leaders of Opposition, to imagine that the danger to be dreaded was trifling when their favourite guardians of the publick weal paid it so little consideration. God be praised,

praised, however, the match has been put to the touch-wood of national spirit, and a large and liberal contribution is already made. The Great Monied Corporations have subscribed magnificent sums; and the lead, which for the honour of provincial cities it must be acknowledged they took, is likely to be followed with laudable emulation by every body of men, as well as every individual possessed of property throughout the kingdom, which allows of the allotment of a handsome sum towards the defence of the country.

In an early part of the present Session, the Chancellor of the Exchequer came forward with a proposition to relieve the *funding system* by raising a material part of the Ways and Means to answer the Supplies that had been voted within the year, a measure indisputably founded in the best wisdom and the soundest policy, but a measure extremely difficult to be put in practice, after four years of the most expensive war that Great Britain has ever experienced. The Minister, no doubt, after many hours and days and nights of anxious deliberation, taught himself to believe that he had hit upon an idea, which, without any great shock to publick feeling, would carry his principle into practice. Men who in a moment of pressing exigency, are caught by the charm of a measure which promises every thing, and at first view seems to be perfectly easy of execution, are ready to lend their faith to any proposition that suggests a certainty of success. It is not to be wondered at, therefore, that the Chancellor of the Exchequer was emboldened to propose the encrease of the Assessed Taxes in the unqualified manner in which he first stated it to the House of Commons. It must, however, in justice be admitted, that no Financier ever opened a measure of taxation in Parliament with more liberal admission of the possibility of its being liable to great necessity of alteration, or with larger allowance of time for the Members seriously to deliberate upon its probable operation,

The

The result has been, that the measure has been subjected to numerous modifications, all calculated to alleviate the middling and lower orders of the people, and throw a greater share of the pressure of the accumulated taxes on the great, the noble, and the affluent. The Minister and a large majority of both Houses of Parliament, have at length been satisfied, that all reasonable ground of objection was removed, and several of the most eminent and respectable characters without doors, have both by declaration and writing, given their concurrence to this opinion.

That learned and Right Reverend Prelate the Bishop of Landaff, whose literary labours do so much honour to himself and to his country, has dignified it with the authority of his sanction, in his masterly and pastoral *Address to the People of Great Britain*, recently published, and has even expressed a sincere wish that the Minister "had done a great deal more." As the learned and Right Reverend Prelate does not enter into any discussion of the principle, provisions and exceptions of the Bill, or of its probable operation and effect, it may reasonably be concluded that what he says upon the measure * is rather to be understood as a general approbation of the idea of raising a part of the supplies within the year in relief of the Funding System, than a particular declaration that the Bill itself, after due examination and deliberate reflection upon its consequences, was not liable to objection. The bishop's declaration that "in the present situation of Great Britain, and of Europe, palliatives are of no use, half measures cannot save us," is undeniably just, and the manner in which he follows up this truism, does infinite credit to his public spirit and his enlightened understanding, though some of his suggestions on our financial resources are certainly questionable.

Every friend to his country will naturally join in the hope that the means resorted to by the Minister,

* Page 2 of the Bishop's Address.

in order to carry the measure of raising a part of the supplies within the year into effect, may prove successful, but without intending the slightest offence to men of higher authority and better knowledge than the Reporter can pretend to, he cannot resist this opportunity of hinting the apprehensions he entertains, that the Assessed Tax Act may in its operation be found deceptive in the proposed produce, and dangerous to the staple of taxation in its consequences. It will perhaps readily be admitted, that it will necessarily occasion a great change in the manner of living, not only of the middling, but of the higher, and in some instances of the highest classes of the people. Those who have spent nearly the whole of their income in their maintenance and the keeping up an appearance requisite, if not to gratify their honest pride, at least to set them above the prejudices of mankind, will necessarily cast about to find in what manner they can best curtail their expenditure and lower their taxes. Men servants will first be sacrificed wherever their services can be dispensed with; and possibly on the present occasion families, who never thought they could exist without a footman in livery, will discover that their two female servants can execute all that they wish in regard to personal attendance, and domestic offices. Housekeepers of slender income will either let lodgings, or go into lodgings; and an infinite variety of other instances might be given of alterations in modes of living, which notwithstanding the modifications of the Bill, will necessarily effect a considerable diminution of the expected produce, though not perhaps within the present twelve-month; but they have been so well argued and so amply discussed in Parliament, while the Bill was in its progress, that it would be as tiresome as it must be fruitless to enter into their detail, the Bill having passed into a law. Indeed the inconveniences of individuals, however irksome for the moment, are of slight consideration, compared with the great ground of apprehension

hension, which induced the Reporter to say a word upon the subject, viz. the fatal effect the measure may have upon the most productive, as well as the most proper subject of taxation—the luxuries of the rich. The extravagance and dissipation of persons in middling life, have ever been deemed a national evil, highly prejudicial to public manners and public morals; but the luxuries of those who are exalted in rank, and rolling in affluence, are not only necessary to the maintenance of a splendour and dignity becoming their situation, but a great national advantage, as they furnish the staple resource of taxation. A measure therefore which suggests to any of the higher or highest class of the people, a necessity to reduce their establishment and diminish their expenditure, may do an incalculable mischief, by materially affecting the produce of the established taxes, and thus take off on one hand what it would give on the other, to the public resources. Already we hear of the dismissal of servants, and of the sale of superfluous carriages by families, hitherto looked up to as wealthy people, and unfortunately the Assessed Tax Bill lends a colourable pretext for their adopting that, at the bare suggestion of which, before the Bill had passed, they would have spurned with indignation and disdain. A lesson of economy to the thoughtless and profligate of the middling and lower classes, is always wise and salutary, especially when accompanied by a coercion of an immediate practical adoption of the precept; but the matter is widely different with those of rank and ample fortune, whose expensive habit, and costly style of living, contribute so essentially to the resources of the kingdom.

These apprehensions may prove unfounded, and no man will be more highly gratified than the writer, if time and experience shall shew that they are so; but they arise from a mind anxious for the welfare and interest of the country, and alarmed at any measure adopted as a temporary means of carrying into effect
so

so laudable a principle, as that of raising a considerable sum for the public service within the year, which may in its operation and consequences deteriorate the established revenue arising from the averaged amount of the former produce of taxes. He is well aware of the infinite difficulty of finding a fit and safe means of effecting the great principle so wisely adopted by the Chancellor of the Exchequer; indeed the absurdity of some of the projects suggested by different persons, within and without doors, sufficiently proves the difficulty. Of these, the scheme of taxing the public funds, unless by a stamp duty upon transfers, is the most dangerous, dishonest, and impolitic. Upon the principle of *salus populi suprema lex*, it may be held to be a sound political maxim, that the Government of any country, when the state is in imminent danger from invasion of an enemy, internal rebellion, or civil commotion, is authorized to call upon the subject for as much of his fortune and property, as the restoration of order and national safety may require; but scarcely any exigency can warrant the seizing, *vi et armis*, by the strong hand of the legislature, on the property of foreigners, who have trusted their wealth in our hands, on the inducement of the good faith, public credit, and long-tried integrity of the British nation. Perhaps more than a third of our funds are the property of Dutchmen, Danes, Russians, Germans, and Italians; and can any man listen to the idea of touching a penny of it, without being shocked at the suggestion of so disgraceful a breach of trust? This proposition was seen in its true light in the House of Commons; we have no reason therefore to imagine it will be resorted to by the Chancellor of the Exchequer, who, from the extent of his genius, his experience as a financier, and the depth of his judgment, is not very likely to adopt a project so pregnant with the most fatal consequences to national credit. There still remains however a considerable sum to be raised to answer the

to that very respectable list of noblemen and gentlemen who had done themselves so much honour by subscribing.

A new writ was ordered for the county of Clackmannan, in Scotland, in the room of Sir R. Aberby, who has accepted the office of Steward of the Chiltern Hundreds.

SUPPLEMENTARY MILITIA.

Mr. Secretary *Dundas* said, he rose for the purpose of proposing a measure that would tend to remove some doubts which had arisen respecting the Supplementary Militia, which were to be collected by ballot, trained for 21 days, and then called out either in whole or in part—for the purposes of explanation and expedition, some regulations were necessary. It was the intention of his Majesty to call out half the Supplementary Militia, instead of a third, which had been in contemplation; and the reason for doing so, was, that ten thousand men had been taken from the Supplementary and added to the regular troops, which had reduced the former to 50,000 men. He did not mean to say that a larger proportion than one half might not be called out; but that would depend upon the circumstances that might occur from day to day. He hoped, however, that the whole House would concur with him in the opinion, that the preparations that were to be made for the security of the country, ought to be proportioned to the preparations of the enemy; and not left to calculation or causes. However the enemy might amuse themselves with gasconading, and delude their subjects by holding out to them the wealth of this country for plunder, he was sure that in proportion as such language was held by them, in that same proportion would the spirit and zeal of the country be excited; by such preparation, the country would be put into such a condition, that every man might sleep in peace in his bed. Whoever either here or in France should inculcate to the enemy that we had any thing to dread, sure he was, that enemy would find in every attempt against this country nothing but ruin and confusion. He then moved for leave to bring in a Bill to enable his Majesty to order out a certain proportion of the Supplementary Militia, and to provide for the necessary augmentation of men in several companies of militia, by incorporating the Supplementary Militia therein.

Leave was given, the Bill brought in and read a first time, and ordered to be read a second time the next day.

The Committee of Supply and Ways and Means were deferred from the next day till Monday. Adjourned.

HOUSE

HOUSE OF COMMONS.

FRIDAY, February 9.

COALS.

The Sheriffs of the city of London appeared at the Bar of the House and presented a petition from the Lord Mayor, Aldermen, and Commons, assembled in Common Council, praying for leave to bring in a Bill for continuing the 7th and 17th of the King, to prevent certain frauds and abuses in the admeasurement of coals. Ordered to be referred to a Committee.

WET DOCKS.

The Sheriffs were again introduced, and presented another petition from the City against the proposed plan of the merchants' Wet Docks, and praying to be heard by their counsel against the passing of the said Bill into a law.

Mr. Alderman *Lushington* said, that the body of Merchants to which he had the honour to belong, so far from being inimical to the proposed improvements for the better accommodation of the shipping in the port of London, that they were now engaged in digesting and preparing a plan to the same effect, which, if it did not prove acceptable to the public, he would be the first to have some more preferable plan proposed and adopted, as he was far from wishing that the port of London should be left in its present defective condition.

The petition was then ordered to lie on the table, and counsel to be heard on the second reading of the bill.

ADMIRAL LORD VICOUNT DUNCAN.

The *Chancellor of the Exchequer* appeared at the bar, and brought up the following message from his Majesty:

GEORGE R.

His Majesty having taken into his royal consideration the eminent and signal service performed by Adam Viscount Duncan, one of the Admirals of the Blue, on the coast of Holland, in an engagement in the month of October last with a Dutch fleet under the command of Admiral de Winter, not only highly honourable to himself, but greatly beneficial to his Majesty's kingdoms; and being desirous to bestow upon the said Adam Viscount Duncan some considerable and lasting mark of his royal favour, as a testimony of his Majesty's approbation of the said service, and for this purpose to give and grant unto the same Adam Viscount Duncan, and to the two next succeeding Heirs Male of the body of the said Adam Viscount Duncan, to whom the title of Viscount Duncan shall descend, for and during their lives, a net annuity of 2000l. per annum. But his Majesty

not

14. WOODFALL'S PARLIAMENTARY REPORTS. [COMMONS,
not having it in his power to grant an annuity to that amount, or to extend the effect of the said Grant beyond the term of his own life, recommends it to his faithful Commons to consider of a proper method of enabling his Majesty to grant the same; and of extending, securing, and settling such Annuity to the said Adam Viscount Duncan, and to the two next persons on whom the title of Viscount Duncan shall descend, in such manner as shall be thought most effectual for the benefit of the said Adam Viscount Duncan and his family.

After the message had been read from the Chair,

The *Chancellor of the Exchequer* moved, That it be referred to the consideration of a Committee of the whole House on Monday next.

Mr. *Wilberforce Bird* moved, That there be laid before the House an account of the total net produce of the taxes for one year, ending January 5th, 1798, and distinguishing those of the years 1793, 1794, 1795, &c. Ordered.

CLOCKS AND WATCHES.

Mr. *Mainwaring* rose in order, he said, to bring to the recollection of the House the several petitions that had been presented before the Recess against the tax imposed on those who use Clocks, Watches, &c. These petitions came from great bodies of dealers and workmen in those articles, and many more of a similar tendency had, he understood, been also presented since the Recess---The object of his intended motion was, that the whole of these petitions should be referred to the consideration of a Committee; nor did he think it necessary to enter at large into any arguments to support his motion, as he understood that it was not the intention of the right honourable Gentleman (Mr. Pitt) to oppose it. He would therefore content himself with simply moving that the several petitions, praying for a repeal of the duty imposed last sessions on clocks, watches, &c. be referred to a select Committee.--Ordered, and the Committee was accordingly appointed.

SUPPLEMENTARY MILITIA.

The order of the day being read for the second reading of the Bill, enabling his Majesty to call out a certain proportion of the Supplemental Militia, and to provide for the necessary augmentation of men in several companies of militia by incorporating therein the Supplemental Militia, and the Bill being then read a second time,

The *Chancellor of the Exchequer* said, that he did not conceive there could be any objection urged against the present measure,

measure, as it was so evidently necessary to the public service, and so urgently called for by the present posture of affairs. That the Bill, however, might be generally understood and more maturely considered, it was his wish that it should be printed and committed on Monday. Ordered.

The Committees of Supply and of Ways and Means were then deferred till Monday, and the House adjourned.

HOUSE OF COMMONS.

MONDAY, Feb. 12.

The Order of the Day for the House to resolve itself into a Committee, to take into consideration the message of his Majesty respecting a grant of 2000*l.* a year to Lord Duncan being read,

The *Chancellor of the Exchequer* rose and informed the House, that circumstances had come to the knowledge of Government, which would give occasion to a similar message from the King respecting an illustrious commander in another part of the world, and in order to have both cases combined in one, and laid before the proposed Committee, he moved to postpone the Committee to Wednesday.

Mr. *Jekyl* expressed a wish to know, whether it was not Lord St. Vincent to whom the right honourable Gentleman alluded? which was answered across the table in the affirmative.

Mr. *Johnes* desired to know whether it was intended to make any proposition respecting Admiral Sir Richard Onslow?

Mr. *Pitt* said, that that was a subject into which he could not enter. No man living, he averred, had a more sincere respect for Sir Richard Onslow than himself, but recommendations from the Throne, similar to the present, were always confined to commanders in chief.

Mr. *Onslow* said, that he thought himself bound, in consideration of his connection with Sir Richard Onslow, to declare, that the question put by the honourable member was entirely without his knowledge.

The Supplementary Militia Bill went through a Committee, and was ordered to be reported the next day. Adjourned.

HOUSE OF LORDS.

TUESDAY, Feb. 13.

The *Lord Chancellor* delivered a message from his Majesty relative to an allowance of 2000*l.* a year to Earl St. Vincent, for

16 WOODFALL'S PARLIAMENTARY REPORTS. [Commons,
for his gallant conduct against the Spanish fleet, &c. and for
continuing that allowance to the two next heirs male of that
noble Earl.

The message was the same in substance as that which was
delivered to the House of Commons last Monday, respecting
Lord Duncan.

The Lord Chancellor then moved an address to his Majesty,
upon this gracious message. Agreed to *nem. dis.*

His Lordship then delivered another message from his Ma-
jesty, precisely the same as the former, respecting Lord Dun-
can, and the House agreed to the same address upon it. Ad-
journed to Thursday.

ESTEN'S DIVORCE BILL.

A Bill was presented to dissolve the marriage of James Esten,
Esq. with Harriot his now wife, which was read a first, and
ordered to be read a second time on to-morrow fortnight.

HOUSE OF COMMONS.

The report of the Bill for calling out a certain proportion of
the Supplementary Militia was brought up, and the Bill or-
dered to be read a third time the next day.

The Chancellor of the Exchequer delivered up the following
message from his Majesty :

GEORGE R.

His Majesty having taken into his royal consideration the eminent and
signal service performed by John Earl St. Vincent, one of the Admirals of
the Blue, off Cape St. Vincent, on the coast of Portugal, in an engage-
ment, in the month of February last, with a Spanish fleet, under the com-
mand of Don Josef de Cordova, not only highly honourable to himself,
but greatly beneficial to his Majesty's kingdoms; and being desirous to
bestow upon the said John Earl St. Vincent some considerable and lasting
mark of his royal favour, as a testimony of his Majesty's approbation of
the said service, and for this purpose to give and grant unto the said John
Earl St. Vincent, and to the two next succeeding Heirs Male of the body
of the said John Earl St. Vincent, to whom the title of Earl St. Vincent
shall descend, for and during their lives, a net annuity of 2000l. per an-
num. But his Majesty not having it in his power to grant an annuity to
the amount, or to extend the effect of the said grant beyond the term of
his own life, recommends it to his faithful Commons to consider of a pro-
per method for enabling his Majesty to grant the same; and of extending,
securing, and settling such annuity to the said John Earl St. Vincent, and
to

to the two next persons on whom the title of Earl St Vincent shall descend, in such manner as shall be thought most effectual for the benefit of the said John Earl St. Vincent and his family. G. R.

The message being read by the Speaker, was referred to the Committee of Supply the next day.

The House resolved itself into a Committee of the whole House to consider of the Quarantine Laws. It was resolved that the Chairman be instructed to move for leave to bring in a Bill to explain and amend the Act of the 28th of his present Majesty relative to this Subject. The House being returned the Report was ordered to be received the next day.

The House went into a Committee on the Corporation Cause Bill, and went through several of the clauses. The report was ordered to be received the next day. Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, Feb. 14.

MAROONS.

Colonel *Walpole* adverted to what had passed in the last Session of Parliament upon the subject of the Maroons, he had forborn pressing any thing upon that matter last session, upon the suggestion of a right honourable Gentleman (Mr. Dundas) signifying that information would be laid before the House this session without any delay. He wished now to learn what steps had been taken upon that subject?

Mr. Secretary *Dundas* said, that he could not give a complete answer to the question put to him. The documents to which it referred, made no part of the correspondence of his office, at the same time he hoped to be in a day or two, in a condition to give to the House the information desired by the honourable Gentleman.

EARL ST. VINCENT AND LORD VISCOUNT DUNCAN.

The Chancellor of the Exchequer moved the Order of the Day, for the House to resolve itself into a Committee of the whole House, to consider of his Majesty's message, which being read,

The Chancellor of the Exchequer moved, that the Speaker do now leave the chair.

Sir *John Sinclair* observed, that the message referred to Earl St. Vincent only; he wished to know, whether the message relative to Lord Duncan was to be considered also in this Committee?

The *Chancellor of the Exchequer* said, that the message relative to Lord St. Vincent, preceded that of Lord Duncan, because the subject matter to which it referred, was prior in point of date to the other, but they were both ordered to be considered by the same Committee, and therefore, would now be both submitted to consideration.

The message being read,

The *Chancellor of the Exchequer* said, he could hardly distinguish between the two gallant officers who were recommended to the attention of the Committee, nor did he wish to do so. It was unnecessary for him to say any thing in praise of either. He could not, however, forbear observing, that this was an appropriate day to celebrate the triumph of Earl St. Vincent; for this very 14th of February was the anniversary of the period of that memorable service. He therefore moved, That it is the opinion of this Committee, that the annual sum of 2000*l.* be issued out of the Consolidated Fund, to commence on the 14th of February, 1797, and be settled, in the most beneficial manner, on Earl St. Vincent, and the next two heirs male of his body, to whom the title of Earl St. Vincent shall descend.

The question being put,

Mr. *Jekyll* said, it would be more in order perhaps that he should wait until the other motion respecting Lord Duncan should be made, before he addressed the Committee, but understanding there was no objection in that particular, he should proceed then. He was obliged to the right honourable Gentleman who made this motion, for introducing the word Anniversary into his speech upon the question now before the Committee. It certainly was an appropriate term, for it was now twelve months since the Name of Earl St. Vincent was announced from the throne to that house. He was satisfied the public mind felt considerable indignation at the conduct of Ministers, as it applied to the case of that noble Earl. The House must consider this miserable piece of acting (for a miserable piece of acting it was) in the same light as the public did, although he had no hopes the House would express itself as it felt.

If it could be supposed for a moment, that in bringing this subject to the consideration of the Committee, the right honourable Gentleman was doing an act of voluntary justice to that great commander's character, it would be as obvious, that even a voluntary act of public justice and national gratitude was executed in so gross a way, as to confer rather disgrace than honour. But this was not a voluntary, but a compulsory act

act of public justice on the part of his Majesty's Ministers—Why did they now come forward with a proposal of pecuniary recompence to Lord St. Vincent? Because they could not for shame do otherwise—Let us look to the dates of the various proceedings, and let us look to the manner in which the whole transaction has been conducted. It was now a twelvemonth ago since the Secretary of State (Mr. Dundas) announced to this House the atchievement of Lord St. Vincent, and in glowing language stated it to be, as it truly was, an action unparalleled in the annals of our naval glory. At that moment, after the usual vote of thanks, two honourable Members, naturally warmed with the patriotic gratitude of the moment, (Mr. Keene and Sir C. Bunbury) proposed an address to the Throne for some mark of royal favour to the noble Earl. This the ministry got rid of by a miserable objection in point of form. An honourable friend of his (Mr. Grey) resisted this quibble of form on the precedent of the address to Queen Ann, on behalf of the D. of Marlborough; a precedent never yet controverted fairly, nor even relied upon, when a very recent motion was made relative to Admiral Onslow—but the objection of form succeeded—Lord St. Vincent was made an Earl; but he believed it would not be denied, that his Barony had long been offered for the signal services he had rendered in the Mediterranean, and there the matter rested. On the 11th of October the victory of Lord Duncan was obtained. The House knew how soon that gallant person was rewarded. Parliament, the instant it met in November, were apprized of the event, so gratifying to every man who heard it—a great and signal victory it was. No man felt more than he did on that brilliant action, nor a greater gratitude to the noble Commander who atchieved it. But since the Ministers had decidedly marked a different line of conduct between the treatment of the noble Earl and the noble Viscount, he had some right to observe on the comparative merits of those two signal actions, though such comparisons had an invidious air. Lord Duncan had at least a force equal to the Dutch. Lord St. Vincent, to use the words of the right honourable Secretary of State, when he announced the victory to the House, had, with fifteen sail of the British line, defeated twenty-seven of the enemy.

Mr. Jekyll observed that the Chancellor was smiling, but, said he, "A man may smile and smile, and be a Minister:" he contended that there was not the same inequality in the forces in both these actions, but he should have scorned to have marked these inequalities, had not the case

demanding it (a prodigious cry of *Hear ! Hear !* from the other side of the House).

Lord Duncan's right honourable relation, the Secretary of State, so stated Lord St. Vincent's victory immediately after Lord Duncan's victory was announced to the House, his peerage followed; and shortly after, before "those shoes were old" with which the noble Viscount walked into the House of Lords, this message comes from the Throne to bestow upon his Lordship a pension of *£2000* for three lives. Things being thus situate; on Monday last came the Chancellor of the Exchequer to the House, twelve months after the victory of Lord St. Vincent, and with a sort of cold blooded recollection of it, put off the motion to this day, that he might refer to the Committee a similar one relative to some noble commander he did not condescend even to name, and in phrases of somewhat more than his usual ambiguity, uttered a few words respecting "circumstances recently communicated, that had made it advisable to bring such a matter forward."—What recent circumstances? Was there any thing to be known, touching the Earl St. Vincent, that had not been known for the period of a twelve-month? It looked as if these ambiguous phrases were adopted from a desire of Ministers to degrade the noble Earl, by making a dirty insinuation, that he or his friends had merely applied to them for pecuniary compensation. But Lord St. Vincent's glory was every way meant to be eclipsed. His splendor, was, if possible, to be obscured in a *mist*, and no matter from what country that *mist* was to arise. He begged to be understood, that even on the ground of equal claims to national gratitude for these two great and signal exploits, still the reward was unequal. The Chancellor of the Exchequer and Lord Duncan's right honourable relation, the Secretary of State, must both be lawyers enough to see the inequality. The pecuniary recompence was given to both, and upon the face of the grant, from an affected similarity of language, it appeared to be of the same value. It met the ear, but not so the understanding; for the noble Viscount had issue, but the noble Earl had not.

In point of policy, nothing could be more seriously detrimental to the favourite service of this country, the navy, than these measures of ministerial partiality. It introduced into it a spirit of distrust, jealousy and discontent. What will every admiral, every captain, every officer of the British fleet feel, when they are led to consider this impolitic and partial conduct on the part of his Majesty's Ministers?

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So much for the manner of their proceedings. Let us now look to the period they have chosen to adopt for this application to Parliament for sums of 2000*l.* or 4000*l.* per annum for three lives—

At a period of the deepest pecuniary distress the country had ever experienced—at a moment when the Chancellor of the Exchequer and his friends confessed almost that they must abandon their favourite pastime, the Funding System; at a time when they were hanging out a begging box at the corner of every street; and were scraping together guineas and half-pence from menial servants to parade at the Bank with, and furnish fresh funds to support their war, and their own continuance in office. He knew that some gentlemen would care nothing about these truths, and were even pleased to hear them, so that they could discover, that notwithstanding such truths existing, they could still continue to remain in their places. But if he knew the noble Earl, whose cause he was now urging to the Committee, he was well assured that if he was aware of the general distress of the people of this country, he would be the last man alive, either to seek or receive any pecuniary assistance from the public purse. No: not if the noble Earl had a relation in every right honourable Gentleman on the opposite bench, and not one of those relations had contributed to the public distress.

He had received an earldom; and God grant that in future, peerages may be as well bestowed. Mr. Jekyll said, he revered as much as any man the dignity of the peerage; and he lamented it should ever be degraded and prostituted to decorate ministerial sycophants or borough jobbers in the House of Commons; or be disposed of for base or unworthy purposes. The right honourable Gentleman seemed to think, that the rank had been somewhat depreciated of late, as a barony could not be thought at that moment worth acceptance, without a solid pecuniary advantage annexed to it.

Upon the grounds that this matter was brought forward in an improper manner, at an improper time, and seemingly with a view of casting a slur and cold neglect on the gallant and noble Earl, he could not help declaring, that in his opinion it reflected eternal disgrace on the King's Ministers.

The *Chancellor of the Exchequer* said, he ought perhaps to apologize to the Committee for taking notice of the speech of the learned Gentleman who had just spoken. What cause did the learned Gentleman plead? If he was pleading the cause of Earl St. Vincent, he was pleading without fee or retainer; and although from his great talents no doubt his fees were numerous,

numerous, yet his exertions, neither that night nor at any other time, were likely to bring any thing into that begging-box which he had so much despised, but which others regarded as a box into which the friends of their country deposited part or their wealth to shew their patriotism. As to what the learned Gentleman has insinuated concerning the rapidity with which Lord Duncan was rewarded in consequence of his connections, he begged leave to say, that with respect to that which was now about to be submitted to the Committee, it did not come until four months after the brilliant victory which was the cause of it—true indeed that he could have wished to bring it forward sooner, but public business prevented him from doing so. With respect to Earl St. Vincent, the circumstance to which he alluded on a former day, and the manner of hinting at which gave so much offence to the learned Gentleman, he could only say, that those very circumstances (which he would state presently) did not come to his knowledge until within four and twenty hours of his communication of them to that House. What was the nature of this pecuniary recompence? Was it intended to add any thing to the title of the Earl? Nothing like it; but it was to enable that noble Earl to support the dignity of the high rank to which his Majesty had justly and wisely raised him.

As to the idea of the learned Gentleman upon the begging-box, he knew it was, according to the wishes of that learned Gentleman, a fitter title than any other. But the learned Gentleman told the Committee another thing, that peerages should not be depreciated. Nothing should be wanting to add grace to a peerage. He agreed in that proposition. He was of opinion that peerages should not be granted in general, unless there was considerable property to support their dignity. But when for the most splendid exertions men were brought into that rank, if they had not sufficient property of their own, they ought to be enabled to do so by the gratitude of the public in whose services they had so successfully toiled, and for whose benefit they acquired their glory. The rank was given to them by the gratitude of their Sovereign and their country, and the pecuniary recompence was given to support that rank when their own circumstances were inadequate. With regard to Lord Duncan, he knew the case to be so. With regard to that of the Earl St. Vincent, he did not know it until within a few hours of his stating the matter to that House.

The learned Gentleman had affected, he would say affected, a regard for the service of the Navy, for the purpose of tracing the conduct of Ministers, which was the constant practice

tice of that learned Gentleman and those whom he called his friends; this was the way in which they conducted themselves against those whom they called their enemies, and he affected to see a jealousy, a discontent arising out of this measure, and insult to Lord St. Vincent; which however was visible to no human being but to the learned Gentleman who pleaded the cause of the noble Earl. The truth of the matter was, that information came to his Majesty's Ministers, that Earl St. Vincent's circumstances were not fully adequate to the high rank into which he had been so justly called; and the moment they knew it they communicated it to the House. Here he entered into the history of the dates of the barony and earldom of the noble Admiral, to shew that there had been no delay in either. The reason why an application for a pecuniary recompence did not come sooner, he had already stated.

What were the next points insisted upon by the learned Gentleman? That this makes an invidious comparison between the two noble Admirals, and that the noble Earl ought to reject the measure now before the Committee. This was the way the learned Gentleman *supported* the cause of his friend, and the way he gave *satisfaction* to the navy and aided the cause of his country. The learned Gentleman talked of the merits of Lord Duncan. He did not exaggerate them, he could not exaggerate them if his talents were greater than they were. He complained of invidious comparisons; if any had been made, they were made by himself, and himself only. Nothing would provoke him, nor, he believed, provoke the Committee, or the public, to make any invidious comparisons between these two gallant officers. The period in which they acted was the brightest in our history, and they were unrivalled in their glory at the period of each achievement.

The idea that an honourable Friend of his (Mr. Dundas) had said, that Lord St. Vincent's conduct was unparalleled, could not be construed to mean that it should never be afterwards acknowledged that any other person had equal merit. Indeed the learned Gentleman need not have laboured that point so much; and he believed that the learned Gentleman would have neither the concurrence of the Committee, applause from the public, nor thanks from Earl St. Vincent, for many parts of his speech that night; nor would the learned Gentleman be able to raise a jealousy between the two noble Admirals, for they were animated with emulation without rivalry, and felt equality without envy; and all who were the sincere friends of both; and of their country, would disapprove of the speech delivered by the learned Gentleman that day, so that the learned Gentleman

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tleman would not have any reason to be proud of the increase of his fame from his labours that night,

As to the distress of the country, he could only say that we all felt we were in a situation which called for great and extraordinary exertions. He trusted the spirit which had been set on foot would become general, but he was well aware that neither the learned Gentleman, nor any of those whom he generally called his friends, would out of their purses, or by their exertions, contribute a mite to the begging-box which he had so pleasantly described. He had only to add that, as this honour was bestowed so wisely on the noble Earl, there was not a man in this country (except the voluntary counsel of the noble Admiral) whose poverty of spirit was such as not to wish that his rank may be duly supported by that public, for whose interest his glory was acquired.

Mr. *Nicholls* said, that the Chancellor of the Exchequer had reduced the finances of the country to such a state, that it was a matter of doubt with him whether it was expedient to make any pecuniary gratifications, even where they were most merited; but if pecuniary gratifications were to be made to the two noble Lords, as their merits were stated to be equal, he thought their rewards ought to be equal. But the rewards given to the two noble Lords by the proposed resolution would not be equal. Lord Duncan had three sons; Earl St. Vincent had no children, and was at that period of life that it was not probable he would have children; he might, however, have other relations whom it might be his wish and his duty to provide for, and if the House determined to confer pecuniary rewards, those rewards ought to be equal, not merely in words and sound, but in substance. The present resolution was in fact only a grant of an annuity for life to Earl St. Vincent, while it was a grant for three successive generations to Lord Viscount Duncan; he therefore proposed the following amendment, to follow the words of limitation in the grant:

And, if the said John Earl St. Vincent should leave no Heir Male of his body living at the time of his decease, then the said annuity of two thousand pounds a year to go and remain to the executors, administrators, and assigns of the said John Earl St. Vincent for the term of thirty-one years, to be computed from the death of the said John Earl St. Vincent.

The *Chancellor of the Exchequer* said, he hardly knew whether he ought to interrupt the proceedings of the Committee any longer. The learned Gentleman who moved the amendment began by stating that it was improper to give away any money, and concluded with a proposition to make the grant of money

money larger than was desired. This was money to be granted to support a title, and yet the amendment of the honourable Gentleman tended to prolong the payment of the money after the title may have become extinct.

Mr. Nicholls said, he never was inclined to question the powers of tarcafm which the right hon. Gentleman possessed, and which he had exercised before on his learned Friend (Mr. Jekyll), or to contend with him on a matter on which he allowed him to be the *facile princeps*. He still maintained that his grant would not operate equally, because to one it would only be a grant for life, in the other case it would be a grant for three lives.

Sir Francis Baring agreed with the Chancellor of the Exchequer, that the distance at which Lord St. Vincent was serving his country, was a circumstance sufficient to satisfy every person, that his honourable Friend (Mr. Jekyll) could not have been instructed on this occasion, nor indeed, that the wishes of the noble Earl on the subject, could possibly be known to any person in this country. His honourable Friend must therefore be considered as speaking his own sentiments, in which no doubt his feelings had participated in consequence of what appears to have been the neglect of an officer, so eminently distinguished for his professional skill, as well as for his personal bravery and success. In these sentiments he must participate most sincerely, but whilst he regretted the delay which had arisen, he must add, that in his humble opinion, better late than never. He could not perfectly agree in thinking, that the situation of the country ought to preclude that House from voting pecuniary rewards for great and meritorious public services; and he was of opinion, than whenever his Majesty thought proper to distinguish officers for such very important services as those rendered by the noble Lords then under consideration, that that House ought most cheerfully to contribute the means of enabling them to support their titles with propriety and even dignity. A comparison had been made between the two services, which might be attributed to those feelings which arose from the delay in not taking earlier notice of those of Earl St. Vincent; but whilst he participated in those feelings to their full extent, and whilst he was satisfied, that every professional man would acknowledge, that the action of the 14th of February was particularly distinguished above all others, for the skill and ability displayed on the occasion, accompanied at the same time with the utmost bravery and success; yet he was sorry that the comparison had been made. Both services were great, important, and highly meri-

torious ; both were deserving of the notice of his Majesty and of that House ; and although he would not pretend to exercise his own judgment how far the rewards were duly proportioned, under the resolutions proposed, yet he could not hesitate a moment in voting for that in favour of Lord Duncan, which he considered as due to his merit, and a just and proper acknowledgment of that merit on the part of that House.

Mr. Secretary *Dundas* answered the insinuation that had been thrown out, that Lord Duncan was promoted because he was a relation of his. He certainly was that relation, but he challenged any man to insinuate that he was on that account promoted or honoured. Lord Duncan had married, he said, a near and a dear relation of his, but he was recommended to the Crown by his own conduct, and by that alone. He had known him almost as long as he had known any body, and he would venture to say, that a more worthy man did not exist. The victory was not the only service he had rendered his country ; he had been long known and revered in the service ; he was beloved by every body, and yet until he went into the North Seas, he never had the command of more than one ship. — He (Lord Duncan) applied to him after the victory was obtained over the Dutch fleet, desiring he would do every thing in his power to dissuade his Majesty from calling him into a rank to which his fortune was not adequate, for that he had five daughters and three sons, and that he did not wish to gratify his vanity at the expence of his family. But his Majesty, of his own mere motion, had determined to grant to him a peerage ; and as that was the case, it became necessary to grant him this pecuniary recompence to support the title. Mr. *Dundas* then confirmed the statement of the Chancellor of the Exchequer, relative to the circumstances of Earl St. Vincent not coming to their knowledge until within twenty-four hours of its being laid before Parliament, so that there was no delay in that respect.

Mr. *Plomer* approved highly of the present grant to both the Admirals, and thought that the public money could not at any time be better employed than by giving a reasonable part of it to persons of such extraordinary merit. But while Commanders in Chief received the rewards justly due to their merits, he thought those second in command were also entitled to the bounty of their country. Every man who heard him would, he was sure, concur in any poor eulogium he could bestow on the Admiral who was second in command, on the celebrated 11th of October last. Sir Richard Onslow had on that day signalized himself by a conduct truly British, and a heroism that
would

would add lustre to any character. And as it had pleased his Majesty to raise him, unasked and unsolicited, to the rank of Baronet, he thought some provision ought to be made for him suitable to the title. It had been stated by Mr. Dundas, among the reasons why Lord Duncan was particularly entitled to a pension, that he had a large family, and it was for a similar reason Mr. Plomer wished the House to remunerate Sir Richard Onslow, who had seven children, had been forty years in the service, and was not in circumstances to support the title.

The *Chancellor of the Exchequer* said, it was a most painful thing for a man to be placed in a situation of opposing motions of this kind; but it was his duty to remind the House of the line which had always been adopted in similar cases, viz. not to enter upon these subjects without a recommendation from the Crown—and these provisions, granted to support titles, were always confined to those who were first in command. If they were to go beyond that line, he wished them to consider to what an extent it might carry them. The hon. Gentleman, who he was sure suggested this idea with the best possible intentions, would recollect, that the dignity of baronet which had been conferred upon Vice-Admiral Onslow, did not require as much expence to support it as a peerage. The services of the Vice-Admiral must be fresh in the recollection of every person, and, he hoped, always would; but it should be remembered, that there were others who had held the situation of second in command, and to whom no pecuniary gratification had been granted, and who had received similar honours. He then alluded to the cases of two noble Admirals, who had received the dignity of peerage, who had not any pecuniary grant whatever. The House, therefore, could not depart from its established practice; and he was persuaded that the Hon. Gentleman would, upon consideration, agree with him. At all events it could not be pressed then, as the Committee were considering his Majesty's Message. But he hoped the hon. Gentleman, upon consideration, would not renew it, because, if he did, he (the Chancellor of the Exchequer), upon the grounds he had stated, should be obliged to oppose it.

Mr. Plomer was satisfied, but observed, that if illness had not prevented him, he would have attended the House on a former day, and expressed himself to the same effect as he had done now, and the answer would have prevented the Committee from hearing him that night.

Sir W. Dolben said, that the House could not go to the extent which he believed his Majesty wished, and which he believed was the wish of the people. He wished to grant to

these officers a lasting mark of public gratitude, but in the course of affairs the three lives might soon pass away, and then there might be a young peer who had not enough to support his title. He would, therefore, suggest, that instead of 2000*l.* a year for three lives, it should be 5000*l.* for a given number of years. That only 1000*l.* a year should be paid to the holder of the title, and the rest to accumulate at compound interest until it came to a sum sufficient of itself to support the title. He thought this would be a good plan to be applied to all Nobility out of their own estates.

The *Chancellor of the Exchequer* replied, that, if it were the sense of the House to make a perpetual provision, it might be done by the Consolidated Fund, the same as by the plan of the hon. Baronet. But he would not then give any definitive opinion on the subject. With respect to one of the noble Lords, he had to state to the Committee, that he possessed an estate that would in a few years be adequate to the support of the title: and this, he thought, was some answer to those who had accused Ministers of a blind partiality.

Sir *William Dolben* said, he wished a permanent provision to pervade the whole House of Peers, so that when his Majesty conferred titles, the heirs would be able to support them. Measures should in his opinion be taken, for enabling the peerage to do this by a fund amongst themselves, which could allow two or three thousand pounds to any one possessing that dignity.

Mr. *Johns* heartily assented to the granting the proposed annuities, but wished the Vice-admirals could also be remunerated for their services.

The Committees of Supply and Ways and Means were deferred to Friday, and the Supplementary Militia Bill ordered to be read a third time the next day. Adjourned.

HOUSE OF LORDS.

THURSDAY, Feb. 15.

Received from the Commons the Bill for calling out a certain number of the Supplementary Militia, which was read a first time, and ordered to be read a second time the next day. Adjourned.

HOUSE OF COMMONS.

THURSDAY, Feb. 15.

Two petitions were brought up, one from the clock and watch makers of Liverpool, the other from those of Edinburgh, praying a repeal of the Tax upon those articles.

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The report of the Committee to whom it was referred to consider of the grant to Lord St. Vincent and Lord Duncan was brought up, and the resolutions therein contained were read twice, and a Bill ordered accordingly.

SUPPLEMENTARY MILITIA.

The order of the Day for the third reading of the Supplementary Militia Bill being read,

Sir *John Sinclair* said, that before the Bill be read he would put a question to Ministers, to which he hoped for a satisfactory answer. The preamble of the Bill set out with stating, that "Whereas it is expedient to call out half the Supplementary Militia,"—When the Bill was first brought in he was not in the House, and therefore could not, as he would have done had he been so, make an objection to it on the score of the preamble running in that way without sufficient grounds for it being laid before the House, and he thought that the words should rather be "*it may be*" than "*it is*"—From the aspect of public affairs, he conceived that not merely *half*, but *all* the Supplementary Militia ought to be called out. It was known that the enemy were making great preparations, and it was incumbent on us to make equal preparations to resist them.

Mr. *Secretary Dundas* said, that he did not view the words of the preamble in the way they were considered by the honourable Baronet—he had, however, no objection to the words being changed from "*it is*" to "*it may be*"—at the same time he reminded the honourable Baronet that it was not necessary to provide in this Bill for calling out the *whole* Supplementary Militia, as a power was vested in the Crown for that purpose by the former Act.

The Bill was then read a third time, with the amendment suggested by Sir John Sinclair, and passed.

MAROONS.

Colonel *Walpole* desired to be informed whether since he had last mentioned the business, any step had been taken respecting the Maroons, who had been sent from Jamaica to Nova Scotia.

Mr. *Secretary Dundas* said, that since the honourable Gentleman had mentioned the Maroons, he had looked over the papers respecting them, and would save the honourable Gentleman the trouble of making a motion on that head, by laying before the House extracts of the correspondence between the Secretary of State and Governor Wentworth on the occasion, and he concluded by moving to that effect.

Colonel *Walpole* said, he had no objection to the correspondence of Governor Wentworth being laid upon the table, and
he

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he had a great respect for the Governor's opinion ; but it happened that the Maroons themselves, who were much better judges of their own condition, were of a very different opinion from the Governor on that subject. They declared that their sufferings were intolerable, that they could not bear the extreme cold of Nova Scotia ; that their wives and children were still less able to bear it ; and they begged that they might be removed, or else, if they were placed there merely for the purpose of punishment, that they might be hanged at once, and their wives and children be sent to a warmer climate.—The Colonel concluded by moving, " That a paper, intitled, " The Petition of the Maroons," and dated the 12th of August, 1797, be laid before the House."

Mr. *Secretary Dundas* said, that petition would be found among the papers which had been already moved to be laid upon the table.

The *Chancellor of the Exchequer* moved, that the Committee of Finance, which had been appointed for next Monday, be postponed to Wednesday, which was agreed to.

Mr. *Thornton* said, that an honourable Friend of his (Mr. Manning) had given notice of a motion this week, for a List of the Subscribers to the Voluntary Contribution at the Bank. In the absence of that Gentleman, and by his desire, he postponed the motion to next week, in consequence of the contributions flowing in fast, and his wishing to give more time to gentlemen. Adjourned.

HOUSE OF LORDS.

FRIDAY, Feb. 16.

The Bills on the table were forwarded in their respective stages.

The *Duke of Bedford* gave notice, that on Monday he should move that the House be summoned for a day, which he would name. Adjourned.

HOUSE OF COMMONS.

FRIDAY, Feb. 16.

Mr. *Hobhouse* presented a petition from the clock and watchmakers of the city of Carlisle, praying for a repeal of the clock and watch duty. Ordered to be referred to the Committee, to whom the former petitions have been referred.

Mr. *Ab. Newland* presented several accounts from the Bank. The order for taking the petitions respecting the Tewkesbury

bury election into consideration on the 22d was discharged; and the petition respecting the right of election was ordered to be taken into consideration on the 19th of April, and that, complaining of an undue election, on the 3d of May.

Mr. *Rose* brought up the Bill for enabling his Majesty to settle and secure an annuity of 2000*l.* per annum on Earl St. Vincent and on Lord Viscount Duncan. The Bills were read a first time, and ordered to be read a second time on Monday.

The Quarantine Bill was read a first time.

Mr. *Rose* moved that the Acts of 34 and 37 of the King be read, which being read accordingly, he then moved that the House should resolve itself into a Committee on Monday next, to consider of the propriety of bringing in a Bill for the repeal of so much of the said Acts as imposed a duty on gold and silver made use of in the manufacture of watch cases. Agreed to.

Mr. *Hobhouse* moved, that there be laid before the House an account of the value of British and foreign merchandise imported and exported in the half years, ending the 5th of January and 5th of July, 1797, and on the 5th of January, 1798, as far as the same could be made out.

Mr. *Rose* observed, that the account of the imports and exports down to that period were now making out, and would speedily be laid on the table, upon which Mr. *Hobhouse* withdrew his motion.

Mr. *Hobhouse* then moved for an estimate of the navy debt, as it stood on the 31st December, 1797; and also for several other accounts, which were ordered.

The House having resolved itself into a Committee of Supply,

Mr. *Sargent* moved, That the sum of 10,587*l.* 17*s.* 11*d.* be granted to the Commissioners for completing the ordnance works; also the sum of 1,920*l.* for other ordnance services.

The other Orders of the Day were then deferred, and the House adjourned till the next day.

HOUSE OF LORDS.

SATURDAY, *Feb.* 17.

The Supplementary Militia Bill was read a third time and passed. Adjourned.

HOUSE OF COMMONS.

SATURDAY, *Feb.* 17.

New writ ordered for New Malton, *vice* Lord Milton, now Lord Dorchester.

Kennett

Kennett and Avon Canal Petition was presented.

Macklin's Lottery Bill was read a second time.

Mr. *Serjeant Adair* stated, than unless the Bill was passed before the drawing of the lottery, Mr. Macklin, for whose benefit this Bill was intended, would be utterly ruined. He therefore moved that the Bill should be committed on Monday next, though it was always usual that a longer space should intervene between the second reading and the Committees upon private Bills.

The motion was agreed to, and the House adjourned.

HOUSE OF LORDS.

MONDAY, Feb. 19.

The *Duke of Bedford* said, that immediately before the late recess he had given notice of his intention to make a motion for an address to his Majesty, praying him to remove his present Ministers; but their Lordships did not consider that motion so pressing as to induce them to postpone the intended adjournment. He now rose to give notice of his intention to bring forward that motion. For his own part, in the disposition which seemed at present to prevail with their Lordships, he did not perceive such probability of success as would have induced him again to trouble them with it, had he followed only his own judgment. Several of his friends, however, differed from him as to the expediency of bringing it forward; and it was in consequence of their desire that he now wished their Lordships to be summoned to take it into consideration. With respect to the day to be appointed for the purpose, he had been informed by some whom he had consulted, that it would not be convenient for them to attend for some time. He therefore should propose that day three weeks. If any other day, however, was deemed more convenient by their Lordships, he was ready to attend upon any other day, and state the reasons which induced him to make the motion.

Lord *Grenville* said, it was not for him to decide what day the noble Duke should fix upon, to make the motion of which he had given notice. He was glad to find, however, from the distant day which had been proposed, that even the noble Duke himself did not consider it of so pressing a nature as would have rendered it at all necessary for the House to put off their adjournment, the last time it had been announced. The House had been then sitting six weeks upon pressing business, and the noble Duke had not thought proper to attend the House, to bring forward that motion which he considered so pressing,
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but which he now thought might be put off without danger to the country. When the motion should be submitted to the House, he was ready to state the motives, and the only ones which could induce his Majesty's Ministers in the present momentous crisis, to retain the situation which they held, and to state the reasons which should induce the House, as far as they could, to exclude from the administration of public affairs men who professed principles and avowed sentiments, which if armed with power, could not fail to prove the ruin of the Constitution and prosperity of this country!

The House ordered to be summoned for that day three weeks.

Read the Bills on the table, and adjourned.

HOUSE OF COMMONS.

MONDAY, Feb. 19.

Mr. *Serjeant Adair* brought up the report of the Committee on Macklin's Lottery Bill, and the several resolutions were agreed to.

On the motion of Mr. *Pitt* the Committee of Ways and Means was deferred till Wednesday.

The report of the Committee on the Corporation Causes Bill was further considered, and the Bill was ordered to be read a third time on Thursday next, if then engrossed.

The Bills for settling and securing a certain annuity on Lord St. Vincent and on Lord Viscount Duncan were read a second time, and ordered to be committed the next day.

SUPPLEMENTARY MILITIA.

Mr. *Speaker* acquainted the House that the Lords had passed the Supplementary Militia Bill; that they had made several amendments in it, to which they desired the concurrence of that House.

The House then resolved itself into a Committee of the whole House, and the amendments made by their Lordships were severally put and agreed to.

GOLD AND SILVER PLATE USED IN THE MANUFACTURE OF WATCH CASES.

Mr. *Rose* moved that the House do resolve itself into a Committee, to consider of the propriety of repealing two Acts imposing a certain duty on gold and silver plate manufactured into watch cases, and thought it proper to observe that the Bill he meant to bring in had no connection with the petitions before the House for the repeal of the duty on clocks and watches.

But as the tax produced but a trifling sum; and was stated to be injurious to the trade, the repeal of it, he expected, would prove beneficial to it.

Mr. *Wilberforce Bird* would make no objection to the petition, as it seemed to be a voluntary contribution in aid of the trade, but had it interfered with the petitions before the House for the repeal of duty on watches and clocks, he most certainly would have opposed it.

After a few words from Mr. Rose, it was then resolved in the Committee that the duty on gold and silver plate manufactured into watch cases, do cease and determine.

The report of the Committee of Supply of Friday last was brought up, and the resolutions for granting certain sums for Ordnance Services, were agreed to.

The Committee of Supply was deferred till Wednesday.

The House then resolved itself into a Committee on Fozard's Divorce Bill, when witnesses were examined and counsel heard; after which the House adjourned.

HOUSE OF LORDS.

TUESDAY, Feb. 20.

The Royal assent was given by commission to the Supplementary Militia Bill, and two private Bills. The Lord Chancellor, the Duke of Portland, and Lord Chesterfield, were the Commissioners.

Macklin's Lottery Bill was brought up from the Commons, and read a first time.

The House resolved itself into a Committee of Privileges, in which Mr. Plomer was heard in behalf of Thomas Stapleton, Esq. who lays claim to the Barony of Beaumont. Adjourned.

HOUSE OF COMMONS.

TUESDAY, Feb. 20.

The Slave Trade Carrying Bill was postponed to that day fortnight.

Several accounts from the Offices of Government were presented, and ordered to be laid on the table

SCOTCH DISTILLERY BILL.

In a Committee of the whole House Mr. Rose moved to continue the Scotch Distillery Bill.

Mr. *M'Dowall* wished the measure should be accelerated, as very bad consequences would result from the dubious state
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in which it now stood. He stated that in December last 19,000 gallons were entered which produced a considerable revenue; but it appeared by a return from the Board of Excise in Scotland, that only 5000 were entered now, little more than one third of the quantity entered in December.

Mr. *Rose* said, that the Lords of the Treasury had received much important information on this subject from the Commissioners of Excise in Scotland, but as there were various opinions upon it, and as it was a business of great consequence to the Revenue and the public at large, he wished to have the whole submitted to the investigation of a Committee, in order that such regulations might be adopted, and such a quantum of additional duty fixed, as would tend to preserve the morals of the people, and at the same time secure a permanent and respectable revenue. As the business, however, could not conveniently be adjusted so soon as the 1st of March, when the present Bill expired, he should only then move, "That leave be given to bring in a Bill to extend the term of the present Act for a short time, to be limited."

Mr. *M'Dowall* was averse to delay.

Mr. *Rose* in reply, said, that he was perfectly aware of the necessity of a speedy remedy being applied to that evil, and so far from wishing to delay it, he hoped by the next day, or the day after, to have the papers and documents ready for the inspection of the Committee to be then appointed.

Mr. *Wilbraham Boate* desired to postpone the commitment of the Election Treating Bill for a fortnight.

Mr. *Charles Dundas* wished it to be deferred for a month, to give Gentlemen, who in a fortnight would be on circuit, time to attend.

Mr. *Tierney* said, he knew a friend of his meant to propose some clauses to the Bill; they might be proposed and the consideration postponed to a future day. He suggested the propriety of committing the Bill that day week, and then fixing a day for the consideration of it.

The original proposition was withdrawn, and the suggestion of Mr. *Tierney* adopted. The Bill therefore is to be committed Tuesday se'nnight.

The Bills for granting annuities to Earl St. Vincent and Lord Duncan went through a Committee, and were ordered to be reported the next day. Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, Feb. 21.

The *Speaker* observed, that on account of the illness of Mr. Lee, it was necessary that an assistant clerk should attend the House, and he recommended that Mr. John Benson should act as substitute at the Table, to which the House agreed immediately.

A petition was presented from a number of sculptors, praying that a Bill might be brought in to allow them copy-rights in new models. Referred to a Committee.

REPORT OF THE COMMITTEE OF FINANCE.

The *Chancellor of the Exchequer* moved the order of the day on the reports of the Committee of Finance, which being read,

He moved that the proceedings of the Commissioners of the Treasury had in consequence of such reports, be referred to the same Committee. Ordered.

The House resolved itself into a Committee of the whole House, to consider of all these proceedings.

The *Chancellor of the Exchequer* then observed, that the proceedings which had been upon the subject now before the Committee were necessarily of great length. There were many things which must hereafter come before the House for discussion. Many other things had been under the regulation of Executive Government, and arrangements made, agreeing in general with the opinions and suggestions of these Committees.—There were not many points that would require the intervention of Parliament to carry the suggestions of the Committee into effect; at least he should not have many of them to bring forward at present. He only meant to move some of the points that had been suggested by the Committee; and here he must observe that, after the Bills for which he should move were brought in, Gentlemen would have an opportunity of discussing the points better than could be done at present. That to which he now chiefly referred was to be found in the fourth Report; the first part related to the general finance, of which he did not at present mean to take any notice. The part to which he wished to draw the attention of the Committee related to the necessity of making some Parliamentary regulations with regard to the public offices; and his chief object was to give a Parliamentary sanction to the suggestions of the Committee upon that subject, many parts

parts of which had already been carried into execution by Executive Government, they having power to do so without legislative authority. Much of the plan of the Committee had been put in a train during the last fourteen years; but there were some modifications of offices which had been deemed advisable by the Committee that could not be carried into effect without legislative authority, and therefore it became necessary for him to bring in Bills for these purposes. Few of these measures were expected to be of immediate public benefit, but they were expected to be hereafter beneficial to a considerable extent. They differ perhaps from some parts of the reports of the Committee, but in general they were in conformity to such reports. He should move that leave be given to bring in a Bill to abolish certain offices in the Customs, and for regulating others, &c. He said it had been long under consideration to abolish certain fees, and to introduce some regulations instead of them at the Customs, but he apprehended that the question would be attended with considerable difficulty, and he was extremely doubtful whether any mode could be found that would be more satisfactory to the Merchants than the mode now adopted. For that reason no arrangement had hitherto been attempted to be made; nor had he at present any thing to propose upon that head. He had heard a great deal, and many plans had been submitted upon that subject, but he had not yet been able to form a decided opinion upon any of them.

Another measure was relative to the Customs and other offices, upon which he had a proposition to submit to the Committee, which was, That leave be given to bring in a Bill to abolish the unnecessary holidays at the Customs, and other public offices, and for enforcing the personal attendance of certain officers belonging thereto, &c.

Another measure was, one also founded on the report of the Committee; it was an alteration on the mode of collecting the revenue on the article of salt. This he proposed doing by transferring the management of that duty to the management of the officers of Excise.

Another measure was, one that was more of a question of police perhaps than any other, he meant some better regulation with respect to hawkers and pedlars.

He moved for leave to bring in the different Bills, the objects of which he had thus shortly opened, and leave was given for each in its order.

TAXES IN SCOTLAND.

The Chancellor of the Exchequer then said, that the next object he had to submit was, one that related to the Land Tax and Assessed Taxes of Scotland. He moved, That leave be given to bring in a Bill to provide for the more speedy collection and remittance of the Land Tax and Assessed Taxes in Scotland.

Sir John Sinclair said, he entertained doubts whether this motion would answer any good purpose, or whether it contained all that ought to be specified in order to attain the object which the right honourable Gentleman seemed to have in view. This, however, was not his chief reason for rising; what he wanted chiefly to know was, whether the Finance Committee was to be revived or not?

The Chancellor of the Exchequer said, that he had submitted all he had to submit to that Committee. The honourable Baronet might have collected from what he said, that he should have some motion to that effect, and it happened singular enough that he held then in his hand a motion to revive that Committee. He stated that few of the objects comprised in the reports of the Committee were such as to require Parliamentary provision; that most of them might be well managed under the regulation which had been adopted by the Executive Government, and that some of these regulations had already been carried into effect. How far others that had been suggested might need improvement he would not presume to determine, but when they came to be laid before the House, every Gentleman would have an opportunity of delivering his opinion upon them, the House would undoubtedly supply any unintentional omissions of the Executive Government, and an opportunity would be given to the Committee to suggest any further improvements that might appear to them to be practicable. In order to keep the matter before the House, he meant, after this resolution should be disposed of, to move, "That the Chairman be directed to move the House for leave to sit again."

The question was then put and carried.

The Chancellor of the Exchequer made a motion for the revival of the Select Committee of Finance, which was agreed to.

The House being resumed, *Mr. Hobart* reported the resolutions, and asked leave to sit again, which was granted.

The Finance Committee being nominated, it consisted of
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the same names as the former, Mr. Sheridan's being the last upon the list.

Mr. *Wilberforce* doubted the propriety of suffering the name of any Member who had seceded from the House, upon any Committee, because it was important that none should be nominated upon such Committees but those who were likely to do their duty.

The question being put, "that these be the names of the Committee,"

The Chancellor of the Exchequer said, that if it should appear there was a deficiency of attendance, the House possessed, and would exercise the power of substituting other Members for those who absented themselves. But it did not appear to him to be necessary to make any alteration in a Committee whose report gave so much satisfaction. But as to those who chose to absent themselves, he could only say it was utterly impossible for any Gentleman, consistently with the duty he owed to his constituents, to absent himself; and as impossible for him to say in that House that he would not attend it, without being subject to the censure of the House. Whether any thing of that kind had been said any where else was not then to be inquired into. The House could not be guided by any rumour of secession. As to some of the Members of the Committee, their absence was unavoidable, for they were upon military duty. He did not think that there would be any material deficiency of attendance of the Committee, and therefore he did not move for any additional names.

The question was then put and carried.

The House agreed to go into a Committee of the whole House on Monday se'nnight, to consider further of the report of the Committee of Finance.

EXCHEQUER BILLS.

The Chancellor of the Exchequer moved the order of the day, for the House to resolve itself into a Committee of the whole House, to consider of ways and means for raising a supply. The House having resolved itself accordingly,

The Chancellor of the Exchequer said, he had now to move for the usual sum to be raised on Exchequer Bills, that was, he proposed the same sum as was granted last Session of Parliament. The particulars of this Motion he would state to the Committee. From the circumstances of the country he had thought it proper to defer the opening the ways and means for raising the supply for some weeks, for which there were various reasons. There was reason for thinking that leaving

ing this matter open for a time may render a loan less necessary than it would otherwise be. The liberality and public spirit which had already displayed itself, and the spirit which had been manifested, and which he trusted would soon spread all over the kingdom, was of a very flattering nature, and he thought it adviseable to give time for the operation of that spirit before he opened the ways and means for raising the supplies of the year. Another reason was, that by the delay he proposed in this respect, an opportunity would be had to see the effect of the late Assessed Taxes, by allowing the time for the first instalment to pass before the ways and means were opened. He then moved a resolution, "That three millions be raised on Exchequer Bills."

Sir John Sinclair said, he doubted the policy of this measure. If there were any circumstances that rendered it probable that money would be less scarce hereafter than it was at present, then the postponing the ways and means would be a wise measure, but he apprehended the contrary, and therefore the Minister might have reason to repent of this delay. He complained of the complex manner in which the public finances were brought forward. In former times the whole income and expenditure of the country were brought on together, so that both could be seen at a view, but by this complex mode of proceeding, the finance of the country could not be well understood. This was a new confusion in our accounts, and he must object to the resolution.

The Chancellor of the Exchequer said, he believed there never was a period in the history of this country in which the subject of finance had been rendered so accessible to every understanding as the present period. True it was that in former times the matter was laid before the House at one time, but that did not imply that they were clearer on that account; and in reality were so far from being so, that they were intelligible only to those who had made finance the whole study of their lives. The reason why he stated these things more than once, was for the purpose of explaining each article under its own particular head; and it was singular that the honourable Baronet, who complained of the confusion of our finances, should be against a system that had explanation for its object.

The resolution was then put and carried.

The report of Lord Duncan and Lord St. Vincent's Annuity Bill was brought up, read and agreed to, after which
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the Bill was ordered to be read a third time the next day, if then engrossed.

A Bill was ordered to be brought in pursuant to the resolution of a Committee relative to the Scotch Distillery. It is to be a temporary measure only. Some letters upon this subject directed to Mr. Rose and the Officers of the Treasury from the Collectors in Scotland, were ordered to be laid before the House.

Sir *John Sinclair* brought up a petition from the Board of Agriculture, which was ordered to be laid on the table.

Mr. *Rose* brought up a Bill to repeal the late duty imposed upon gold and silver used for watch-cases.—Read a first time, and ordered to be read a second time the next day.

Deferred the other orders.—Adjourned.

HOUSE OF LORDS.

THURSDAY, Feb. 22.

APPEAL FROM THE COURT OF CHANCERY.

Mary Isabella, Dutches of Rutland, Henry, Duke of Beaufort, and the right honourable William Pitt, guardians and trustees of the Duke of Rutland, a minor, v. W. Wake-man and Vincent Eyre, Esqrs.

Counsel were heard at full length on the part of the appellants. Their Lordships did not deem it necessary to hear the respondents' counsel.

Lord *Kenny* rose, and previous to his motion for affirming the decree in Chancery, took occasion to reprehend, in severe terms, the conduct of the agents of the appellants, in advising them to institute the appeal. He could not possibly ascribe any undue motives to the illustrious principals, whose characters were too well established to require defence, or to be enhanced by eulogy; however he must condemn the litigious spirit of the agents of the parties; and he thought their Lordships should pointedly express their resentment of the conduct of those persons. He therefore moved, That the decree be affirmed, and that the appellants do pay to the respondents the sum of 200*l.* costs, which was ordered accordingly.

The several Bills before the House were forwarded in their respective stages.

Mr. *Harris* presented certain annual accounts from the commissioners of the national debt.

Mr. *Secretary Dundas*, attended by several members, presented from the House of Commons the following Bills:

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4 WOODFALL'S PARLIAMENTARY REPORTS. [COMMONS.]

A Bill to allow his Majesty further time, &c. for carrying into execution an act passed this Session of Parliament, relative to the Supplementary Militia.

A Bill to enable his Majesty to secure, &c. a certain annuity to the Earl of St. Vincent, and to the second next successor to that earldom.

And a Bill to enable his Majesty to secure to Lord Viscount Duncan a certain annuity, and to the two next successors to that title.

The first of these Bills was forthwith forwarded through its respective stages.

The latter Bills were severally read a first time; after which, at six o'clock, their Lordships adjourned.

HOUSE OF COMMONS.

THURSDAY, Feb. 22.

SUPPLEMENTARY MILITIA.

Mr. Dundas moved for leave to bring in a Bill to give a further time to put in execution an Act passed in the present Session, for enabling his Majesty to call out a certain portion of the Supplementary Militia. The object of this Bill would be to extend the time from the 16th of February, and as it stood in the Act already passed to the 10th of March. Leave was given. And the Bill being afterwards brought up, was read a first and second time; committed, and the report afterwards received.

VOLUNTARY CONTRIBUTIONS.

Mr. Manning said, he would withdraw the notice he had given for the production of a list of the names that were entered in the books for receiving the Voluntary Subscriptions at the Bank; because on account of the spirit that prevailed universally through all parts of the country, he conceived it would be invidious to make any comparisons between the exertions of one set of people and another.

EMIGRANTS.

Mr. Jones wished to call the attention of the House, and of his Majesty's Ministers, to the French Emigrants in this country, and said, that at this critical juncture it was incumbent on Government to consider the safety of England, rather than to risk it out of a mistaken humanity to men, who, for the far greater part, were unworthy of it. He said, that from his own observation, as well as from the uniform testimony of all others with whom he conversed, he was enabled to state that the

the French Emigrants were really enemies to the country that was feeding and protecting them; that they were disaffected to England, and most probably in league with the French Government; and that they were men whose moral conduct was so atrocious that they could not be considered just objects of compassion; a recital of the enormities they were in the habit of committing, would, he said, make the hair stand on end; but from this character he excepted the priests.—He added, that it was the universal opinion, as well as the wish of all ranks of people, that they should be sent out of the country, and he wished to know, whether it was the intention of Ministers to advise the King to send them away? If not he would bring it in due form before the House?

Mr. *Secretary Dundas* said, that a motion had been made last Session concerning Emigrants, founded on an idea that there were more of them in the country than was consistent with its security. An enquiry being consequently set on foot by order of Government, it was found that the number of those persons was not near so great as had been supposed. With respect to what had fallen from the honourable Gentleman, he believed it was the sentiment of many people in England, who had conceived a degree of alarm at the idea of the French Emigrants in this country entertaining notions hostile to the Government. But the honourable Gentleman must be aware that it was a subject on which it was impossible for Ministers to obtain more than a general knowledge. If, however, he was acquainted with any facts upon which an investigation could be set on foot; if he believed that such things as he had stated from rumour, did really exist, it was his duty to communicate them to the Executive Government, whose vigilance would be immediately exerted to come to a knowledge of the persons concerned in them. He did not wish to hold the honourable Gentleman responsible for proving any of his statements; but let him throw out his suggestions to Ministers, who would immediately put them in a proper train of enquiry, and any Emigrant who might become an object of suspicion, would be immediately sent out of the country under the Alien Act. He must, however, observe, that the Executive Government had hitherto been remarkably watchful of the conduct of foreigners, many of whom had been ordered out of the kingdom. But the honourable Gentleman must perceive, that to send away every man who happened to be an Emigrant, would be to sacrifice unnecessarily the lives of numbers of persons who came hither for protection.

Mr. *Jones* said, that if the Emigrants were not narrowly watched,

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watched, they would create a diversion in favour of the
enemy.

FRENCH PRISONERS.

Mr. Baker called the attention of the House to the gross misrepresentations which had been made by the French Directory of the treatment of the French prisoners in England. For the first time the British nation was accused of inhumanity, and the calumnies were countenanced by some of the public papers here. It appeared, however, by evidence obtained from all quarters, that the charge was most grossly false—it ought, nevertheless, to be cleared up to all the world, and the best way to do that was to move for the papers on that subject, which would prove that the English nation not only was, as it ever was; humane and benevolent, but had in this war gone beyond its usual humanity on former occasions. He moved, “That there be laid before the House an account of the proceedings at the *Transport Board* and *Sick and Hurt*, respecting the treatment of the French prisoners.”

Mr. Rose said, it was with particular pleasure he rose to second the motion, which he was glad the honourable Gentleman had brought forward; because nothing would so much contribute to satisfy this country, and all Europe, concerning the gross misrepresentations made by the enemy, as to have all the documents on the subject laid before the House. He would also add another motion—“That there be laid before the House an account of the expences incurred in maintaining prisoners of war, distinguishing the expences of each year; together with an account of the daily and weekly allowance given to each prisoner.”

Mr. Secretary Dundas thanked Mr. Baker in his own name, and in the name of the country, for this motion. He had heard the calumnies with indignation, and wished for an opportunity to speak of them. That the French Directory should have recourse to calumny and falsehood, to delude their unfortunate subjects, was not surprising; it was in their way, and strictly conformable to the whole tenor of their conduct. But that accounts so obviously and notoriously false should be industriously copied from the French papers, and propagated by papers in England, and that Englishmen should attribute to this country what was never attributed to it before, was enough to kindle indignation in any honest bosom. Want of humanity was never before laid to the charge of England, even by her most inveterate enemies; was it not astonishing then that a body of men here (of whatever party they might be) should abuse the liberty of the press by making it a vehicle for such
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wicked misrepresentation? He was now happy, however, that the truth was in a fair way to come out. The correspondence moved for would shew that there was no severity at all used to the prisoners, nor the smallest deviation from the usual indulgence to the officers, but in way of retaliation for similar treatment to our officers in France, and that not till after earnest entreaties had been more than once made to the Directory to mitigate their severity to our officers, prisoners in France. The facts would soon appear, and he was willing to rise or fall by the decision of the public upon them.

Lord *Malden* said, that at Bristol, when his regiment was quartered there, the French prisoners were so amply supplied, that our soldiers who guarded them often fed upon the superfluities of their allowance. He could testify that there was the utmost tenderness and attention paid to their comfort, convenience, and health.

Mr. *Baker's* motion passed.

Mr. *Rose* then moved that there be laid before the House "an account of the expence occurred in supporting the French prisoners each year during the war, distinguishing the daily and weekly allowance to each prisoner;" which was agreed to.

Mr. *Hobhouse* moved for an account of the money advanced by the Bank to Government and outstanding on the 31st December, 1797; as also for an account of the gold and silver coined in 1797, both of which motions were agreed to.

Mr. *Huskisson* informed the House that, in consequence of the misrepresentations which had been made respecting the treatment of the French prisoners, a regulation had taken place that each country should maintain its own people that were prisoners with the other. This regulation took place the first of this month, and the treatment the French prisoners had received since they came into the hands of their own Government would shew what reason they before had to complain. He therefore moved, That there be laid before the House "an account of the rations issued daily by the French agent to the French prisoners since the 1st of February instant", which was granted.

He then moved that there be laid before the House, "A copy of the Instructions to Captain Coates at Paris respecting the rations allowed to English prisoners by our agents in France." The reason he moved for this paper was, because it would shew that the allowance made to our prisoners in France was the same that was allowed to French prisoners in England. His motion was granted.

The *Solicitor General* gave notice, that he would, on Monday,

day, move for leave to bring in a Bill to prevent persons from making advances in consideration of transfer of debts to France through the United Provinces.

The Bills for abolishing useless offices in the Customs, and another for lessening the number of holidays, and enforcing the attendance of the officers of the Customs, were read a first time.

The correspondence that passed between the Duke of Portland and Sir John Wentworth, respecting the Maroons, was laid upon the table.

The Bill for allowing further time for putting into execution the Supplementary Militia Act of this Session, was read a third time and passed. Adjourned.

HOUSE OF LORDS.

FRIDAY, Feb. 23.

The Royal assent was given by commission to the Bill, empowering his Majesty to call out a certain proportion of the Supplementary Militia; to Macklin's Lottery Bill, and several private Bills.

HOUSE OF COMMONS.

FRIDAY, Feb. 23.

The Sheriffs of London presented a petition from the Corporation of the City of London, stating that the price of bread at present was proportionably greater than the price of grain, which they considered to be owing to the scarcity of Mills, and to certain obstructions to the supply of the London markets. The petitioners prayed that some remedy might be adopted to do away this evil. They presented another petition, praying for a Bill to remove the many insurmountable difficulties that existed in the city of London, as to the ready collection of small debts. A third petition was then presented, stating the many inconveniences that arose to the trade of the city from the circuitous manner of ships coming round the Isle of Dogs, and praying that some means might be adopted for the improvement of the port of London.

FRENCH PRISONERS.

Mr. *Hughison*, in vindication of his country, whose grand characteristic was humanity, rose to make a motion on the subject of Prisoners, and, so far as we could possibly charge our memory, spoke nearly as follows:

By a communication I have had this morning with the Commissioners of Transports, I find that they are under some difficulty

faculty as to the mode and extent in which the orders made by this House the preceding day apply to their correspondence on the subject of prisoners of war. The intention of the honourable Member, who, so much to his credit, was the first to call the attention of this House to the subject, appears to have been to expose the outrageous falsehoods which have been published by the French Government respecting the treatment of their prisoners here, and to defend his country, not only from the foul aspersions of an implacable enemy, but also from the more infamous insinuations of those among us, whose daily occupation it is, in apparent concert with that enemy, to traduce the character and to insult the feelings of their country. The object of the honourable member would be completely fulfilled by the documents to which the orders of the House are already pointed; but it becomes this House, and the credit of the nation and of the government requires of us, to take a more enlarged and comprehensive view of the subject, such a view of it in all its branches as I can assure the House it has long been the anxious wish of my right honourable Friend (Mr. Dundas), who has so principal a share in the management and responsibility of this part of the public service, to have an opportunity of laying before the public.—Since I had the honour of a seat in this House, I have heard, and heard with astonishment, an honourable member, a General Officer in His Majesty's service, propose, in a manner I admit most creditable to his private feelings, that this country, overlooking the principles which regulate the intercourse and relations of Sovereign States, should interfere in the internal affairs and administration of a great independent Power, then our ally, in behalf of a man who could have no claim to the protection of this country—whose public conduct in America (without entering into particulars) was no title to our gratitude—whose public conduct in France was founded upon principles, which, had the House adopted the motion, it would thereby, in fact, have sanctioned and adopted those principles. What those principles are, it is not now a proper opportunity to examine; but I am well warranted, by the present state of France and of Europe, to affirm, that they are such as this country must resist, if it is to be preserved from the calamities in which France, where, under his auspices, they were first engendered, and a great part of the Continent subdued by French arms, or tainted by French doctrines, are now involved. I am induced, Sir, to make this observation, because at the very time this motion was made, a distinguished naval character of England, whom the chance of war, in fighting the battles of his country, had placed in the power of France

France as a prisoner, possessing consequently the strongest claims to our protection, was detained in solitary confinement in one of the common gaols of Paris—exposed to every species of hardship, insult, and mockery, without even a pretext being alledged to justify a proceeding so base and cruel towards a person, in his situation, and so disgraceful to the character of the French nation. No notice was then taken of his sufferings—and, sorry I am to say, no enquiry has ever since been made in this House respecting them. I shall avoid any invidious comparison between the interest any Gentleman may have felt on the one hand for Sir Sidney Smith, and on the other for General La Fayette. I know that every true Englishman ought to take an interest in the fate of the former; and feeling myself this interest, it is impossible for me not to wish that this House, and every man in the country, should know, what measures have been taken to rescue him from his cruel situation. Convinced as I am, at the same time, by every document that I have had an opportunity of seeing respecting the subject of prisoners in general, that the conduct of this country has been uniformly marked by liberality and kindness, whilst, on the other hand, our enemy has almost as uniformly treated the prisoners of this country in the most harsh and cruel manner. It appears to me equally desirable that all the steps that have been taken on the part of this country to alleviate, and, on the part of France, to aggravate the calamities of war towards their respective prisoners, should be made public: but it does not belong to me to anticipate what I am satisfied will be the judgment of the House, and of every candid man, upon the subject; and I shall, therefore, without troubling the House further, conclude by moving—

“That there be laid before this House extracts and copies of such letters from the correspondence of the Commissioners of Transports and of the Sick and Hurt Board, with the French Government, as relate to the detention of Captain Sir Sydney Smith, or to the negotiation entered into to establish a cartel for the exchange of prisoners of war between the two countries.”

Captain Berkeley said, he rose with the greatest satisfaction to second the motion. The honourable Gentleman had alluded to the case of M. La Fayette. He regretted very much that certain Gentlemen who had thought the case of La Fayette worthy to call forth their humanity and their good offices, were not then in the House, because their abilities could not fail to set in the most striking light the cruel treatment which Sir Sydney Smith endured, if their humanity could at all

all be roused by the unworthy treatment which a British officer received. The cruelties which Sir Sydney Smith experienced were almost beyond endurance.—He hoped that the absence of the Gentlemen to whom he alluded was from the shame and contrition which they felt at the arguments they had so often used in that House, now, when they found that their clients in every instance had failed them, and given the lie direct to every thing which for these five years they had said in their favour.

Mr. *Wilberforce* said, he rose only to express his concurrence in the notion, and his approbation of laying before the House the whole of the case, in order completely to remove the calumnies which had been circulated against this country, and to do justice to our national character, which had been aspersed. He had been one of those who joined in regretting the treatment which M. La Fayette had received, because he considered it as one of the happiest circumstances in the state of modern society that the horrors of war were mitigated, and not extended, as formerly, to every part of the inhabitants of the countries that were at war. Now it was understood that war was to be confined to the armed partizans on both sides, and not extended to those who were not engaged in the contest. For that reason he lamented a contrary example, as it might lead to the introduction of those practices which were now exploded, to furnish the bad passions of men with justification of the severities which they might be disposed to inflict. He did not imagine, however, that to any such example was to be imputed the cruel treatment which the gallant and meritorious Sir Sydney Smith had received. He was deeply concerned that the principles of war, as now understood, were abandoned in the mode of severity and rigour with which he had been treated. With respect to the motion he had himself intended to make, the necessity of it was superseded by the motion made by another honourable Gentleman the preceding day. He was glad that it had been made, because he was confident from what he had been at pains to learn upon the subject, that whatever might have been the conduct of the enemy, the conduct of this country to the prisoners of war had been consistent with that humanity for which it had ever been distinguished, and that no provocation had ever hurried us into an imitation of those unworthy severities which the French Government had practised.

Colonel *Stanley* said that there were 6000 French prisoners at Plymouth, and as he had been several months there, he was able to say that there was not the least foundation for the statements circulated concerning the bad treatment of French prisoners.

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soners. They were attended by their own surgeons, and when necessary by ours. They had plenty of money among them, they had billiard tables, and they seemed to be in very good spirits, for they acted a play once a week.—The motion was agreed to.

The Scots' Distillery Bill was read a second time, and ordered to be committed on Monday.

The Bill for issuing a certain number of Exchequer Bills was read a second time.

Mr. Alderman *Lushington* presented a petition from the Master, Wardens, and Court of Assistants of the worshipful Company of Clock and Watchmakers of the city of London, stating the loss which trade has sustained by the last duty upon clocks, and praying for its repeal.—Referred to the Committee already appointed to consider upon the subject.

He presented another petition from the Ship Owners of London, stating the hardships to which they were exposed as carriers of goods, in consequence of a late decision upon the extent of their liability for losses, and praying that a Bill may be brought in to relieve them.—Referred to a Committee.

Mr. *Rose* brought up the Salt Importation Bill, and the Exchequer Loan Bill, which were read a first time.

The Bill to take off the duty on gold and silver plate made into watch-cases, went through the Committee.

Mr. Alderman *Lushington* wished to know if there was to be a drawback on those watches lying long on peoples' hands, and intended for exportation.

Mr. *Rose* said there would.

Deferred the other orders of the day.

Adjourned to Monday.

HOUSE OF COMMONS.

MONDAY, Feb. 26.

The Bill for abolishing holidays and certain places in the Customs was read a second time, and ordered to be committed on Thursday.

A petition from the Trustees of the British Museum, stating the inadequacy of their funds, and praying relief, was presented.

The *Solicitor General* said he rose in pursuance of the notice he gave, to move for a Bill to prevent the resources of the country being paid to the Government of, or individuals residing in the United Provinces, during the war, without a license. It must be obvious to every Gentleman that from the late change in the public affairs of Holland, attempts would probably

probably be made to apply the money of this country to supply the enemy with the means of hostility to this country. The policy of resisting such an attempt must be so clear, that he would not take up the time of the House further than to move for leave to bring in a Bill for that purpose, which was granted.

The Mutiny Bill was read a third time and passed.

The Corporation Cause Bill was read a third time, and after a few words from Messrs. Wigley, Buxton, and D. P. Coke, the Bill passed, and then the House adjourned.

HOUSE OF LORDS.

THURSDAY, Feb. 27.

The House resolved itself into a Committee of Privileges, Lord Walsingham in the chair.

BEAUMONT PERRAGE.

The consideration of the claim of Thomas Scapleton, of Carlton, in the county of York, Esq. to the barony of Beaumont, was resumed.

Some evidence from Doctors Commons and the Heralds Office was adduced in illustration of the claimant's pretensions; after which the Attorney-General was heard at some length on the part of the Crown, against the claimant.

Mr. Plumer spoke in reply to the objections of the Attorney-General; when after a few observations from the Lord Chancellor, the Committee adjourned the further consideration of the case till Tuesday next.

The House then resumed, and before prayers were read the different Bills on the table were forwarded in their respective stages: among these were Lords St. Vincent's and Duncan's Annuity Bills, which were read a third time and passed.

Mr. Hobart presented from the House of Commons, a Bill for allowing further time for the regulation, &c. of the certificates of attorneys.

Mr. D. P. Coke presented the Corporation Causes Bill.

Three private Bills were also presented from the House of Commons. These Bills were severally read a first time. After which the House adjourned till the next day.

HOUSE OF COMMONS.

THURSDAY, Feb. 27.

Mr. Hobart brought up the report of the Committee on expiring laws, which was read and ordered to lie on the table.

Mr. Alderman Lushington (after the Acts of the 13th and 14th of the King, relative to turnpikes had been read) moved "that a Committee should be appointed to consider them" in

order that relief might be afforded to persons bringing articles to the Metropolis, and who at present were subject to much inconvenience from the restriction, as to the weight of the loads they are allowed to carry.

Sir *John Sinclair* said, he thought that the enquiry ought to be extended to the state of roads in general, and the regulation of turnpikes. It was a subject of great importance, and from the improvements of which it was susceptible the country might derive great advantages.

Mr. *Mainwaring* said, that the object of the present application was to afford relief to a certain class of people bringing articles to the London market, who at present experienced great inconvenience from the restriction under which they laboured.

Mr. *Pole Carew* thought that the enquiry should be made general; and that if any change were to be made, it would be proper rather to confine than to encrease the weight allowed.

Sir *William Pulteney* was for an extensive enquiry.

Mr. *Tierney* had no objection to a general enquiry, but thought that the object of the application was so far, that no person could hesitate as to the propriety of the relief which it required.

After some farther conversation, it was resolved that the enquiry should be general, it being understood however that the Committee should first direct their attention to the object for which the application was made, and report.

Lord *Belgrave* moved the commitment of the Bill to explain the Treating Act.

Mr. *Simeon* said he had intended to move certain resolutions calculated to explain this Act, and to remove the doubts, which from the present state of the law, existed with regard to the Act. These, however, he would reserve till a future stage of the business.

Mr. *Tierney* wished to know whether the learned Gentleman intended to bring forward any specific resolutions upon upon the subject with a view to this Bill, because if not, he should certainly bring forward something on the subject.

After some conversation, in which Mr. *Wilberforce*, Mr. *Simeon*, the *Chancellor of the Exchequer*, and Mr. *Tierney*, each said a few words, it was agreed, that the Bill should be committed the next day, when Mr. *Simeon* brings forward his resolutions, which are to be printed, and afterwards taken into consideration.

Mr. *Mainwaring* brought up the report of the Committee,

to which the petitions against the Watch Tax were referred, which was ordered to lie on the table, and to be printed.

The Exchequer Bills Bill went through a Committee.

The Bill for repealing the Tax on Gold and Silver Plate, manufactured into watches, was read a third time and passed.

The Scotch Distillery Bill went through a Committee, and the 28th February is to be the period of its commencement.

The Bill for prohibiting payments to be made to the Dutch Government, or to persons in the United Provinces, was brought up, read a first time, and ordered to be read a second time the next day. Adjourned.

HOUSE OF LORDS.

WEDNESDAY, Feb. 28.

Read the Bills on the table, and adjourned.

HOUSE OF COMMONS.

WEDNESDAY, Feb. 28.

Mr. *William Dundas* moved for leave to bring in a Bill for enlarging and improving the harbour of Leith. Granted.

EXPORT OF WHEAT.

Mr. *Hobart* brought in a Bill for continuing an Act passed last session, authorising his Majesty to permit the exportation of wheat, &c. to the islands of Jersey, Guernsey, &c. The Bill was read a first time, and ordered to be read a second time the next day.

Mr. *Hobart* brought in a Bill for disallowing the bounty on the exportation of sail-cloth to Ireland. Read a first time, and ordered to be read a second time the next day.

The Salt Importation Bill from Portugal was reported, and ordered to be read a third time the next day.

The report of the Committee on the Exchequer Bills Bill was received, and the Bill ordered to be read a third time the next day.

The Bill for prohibiting payments to be made by persons residing in this country to the Dutch Government during the war, was read a second time, and ordered to be committed on Friday next.

The House having resolved itself into a Committee of Supply.

Mr. *Long* moved, that provision be made for the pay and clothing

clothing of the militia, which was agreed to, and the report was ordered to be received the next day.

The House next resolved itself into a Committee of Ways and Means, to which were referred the several postponed resolutions respecting the Expiring Laws Bill, and the report was ordered to be received the next day.

PUBLIC OFFICES.

The order of the day being read for the House to resolve itself into a Committee on the Bill for limiting the number of holidays in certain public offices,

The Chancellor of the Exchequer moved that the Committee be deferred till Monday.

Sir John Sinclair was of opinion that the suppression of those holidays in the public offices in the capital would not suit the convenience of the different parts of the country.

The Chancellor of the Exchequer said, that he had within these few days received some suggestions to that effect from a number of merchants, from which he expected to derive some useful result, and this was his reason for wishing to defer the Committee till Monday. He did not, however, think it very probable that any universal plan could be suggested that should suit the convenience of all the parts in the kingdom.

ELECTION TREATING ACT.

The House resolved itself into a Committee on the Bill for explaining and amending the Act, commonly called the Treating Act, or the Act for regulating the charges and expences of candidates who should be elected Members to serve in Parliament, when

Mr. Simeon rose to submit to the Committee the clauses which he the preceding day had expressed his intention to bring forward. It would be for Gentlemen to adopt or reject them, after they had considered their tendency, and this might be distinctly and generally understood. If the Committee should agree to his bringing them up, he hoped they would be printed. His object was briefly to make the law of elections known to the electors, to people engaged in the conducting of elections; and to Members of Parliament. And he believed this could only be effectually done, by declaring what the law ought to be. He next brought up several clauses, which were as follow :

“ That between the time of issuing an Election Writ, and the return being made to Parliament, no Elector is to receive from any Candidate or Persons employed by him either Meat or Drink ; and any carriages or other conveyances used by the Electors must be paid for, not by the Candidate, or any other person connected with the Election, but by the Voters, who are to receive no money for loss of time ; and the fee to enable
a person

§. 21.] WOODFALL'S PARLIAMENTARY REPORTS. 9.
a person to acquire the right of voting must, in all cases, be paid by the person applying for it. That the Votes of Persons violating the above Clause in any of its provisions, shall be null and void."

The *Master of the Rolls* here remarked, that, as he took it for granted the clauses were merely proposed to be printed, and reconsidered, he would not then make any observations upon them.

Mr. *Simeon* next brought up a clause, which stated,

"That Candidates who should be proved guilty of using any of the means forbidden in the first Clause should be considered incapable of being elected for the place for which they stood, or for any other place in that Parliament, or during the term of six years."

"That it shall be lawful for Candidates to supply with meat and drink, and pay the expences of a certain number of persons serving on Committees, notwithstanding that they may be Voters. The number of Voters on a Committee for a County Election to be twelve, and for a Borough six."

"That an oath shall be administered to each voter at the time of polling, agreeably to the first clause."

Lord *Belgrave* brought up two clauses, purporting,

"That during the time of an Election, no Candidate or his Agent should give to the Electors ribbons or any other badge of distinction."

"That the election of any member returned to Parliament is liable to be questioned on the ground of having on former Elections infringed the Act of William III. which disqualification is to extend alike to the unsuccessful Candidate during the term of six years."

The House being refused, the report was ordered to be taken into consideration on Tuesday the 27th of March next; in the mean time to be printed with the amendments. Adjourned.

HOUSE OF COMMONS.

THURSDAY, *March 1.*

Mr. *Grant* presented a petition from an Agricultural Society in the county of Bamf, complaining of the reduced price of corn, and praying the importation of it might be stopped—and that no further duty might be imposed upon distilleries.

Alderman *Lushington* brought up a report of the Committee, to which had been referred the petition of the merchants and ship-owners of London. Leave was given to bring in a Bill for their relief.

The report of the Scotch Distillery Bill was brought up and ordered to be recommitted for Tuesday next.

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The Bills for abolishing the holidays in the Customs, and for abolishing useless holidays in other offices, was read a second time and committed for Tuesday.

The Wheat Exportation Bill was read a second time, and committed for the next day. *Adjourned.*

HOUSE OF LORDS.

FRIDAY, *March 2.*

ESTEN'S DIVORCE BILL.

On the motion for the second reading of the Bill for granting a divorce between Mr. Esten and Harriet his wife,

Lord Auckland rose and desired to call the attention of their Lordships to the circumstances under which the application was made, and which, in his opinion, were of such a nature, that admitting every allegation of the Bill to be proved, he would decidedly give his negative to any farther proceeding. Still, however, he would not prevent the petitioner from making out the best case that he could, and the House would then decide upon it. Lord Auckland said, that he was not prepared to assert that the circumstances were such as to imply actual collusion between the parties; but they at least afforded grounds of suspicion, and seemed to place the petitioner in a predicament not to be entitled to the special interposition of the Legislature, to relieve him from consequences which his own conduct seemed to have facilitated. The petitioner was married in 1784. Some years afterward he was obliged to abscond, and left his wife under an equivocal kind of protection at the Dublin theatre, and under articles of separation between them. He had learnt the alledged adultery in 1794, and had brought his action in the Courts of Law in Hilary Term, 1797. On the whole, the case was such as that House could not entertain. It was better adapted to the proceedings for divorces before the Municipality of Paris, (a loud cry of "Hear! hear!" from the Bishop of Rochester and others). He was happy to remark that his observation engaged the attention of the right reverend Bench. It certainly was an awful moment, in which it became that House to be particularly on its guard against the introduction or encouragement in any shape or form, of any circumstance whatever tending to the French immoralities. In his cool and deliberate opinion, those immoralities were the most dangerous mode of attack that the enemy could make. He dreaded them more than any other kind of invasion, whatsoever menaces might precede it, or whatsoever shape

subject might assume. He would not oppose the calling in of counsel; but his mind was made up as the fate of the Bill.

Lord ~~Sturges~~ *Edk. de Grey* said, that he perfectly coincided in the sentiments just delivered by the noble Lord, and if he had any thing further to observe, it would be to oppose the introduction of counsel, so strongly did his mind revolt at the manner and the nature of the application. Such a determination on the part of their Lordships would strongly mark their opinion of the case, and operate with the salutary force of a striking example.

The ~~Lord Chancellor~~ *Lord Chancellor* observed, that whatever might be their Lordship's opinion of the case, and whatever points of morality it was likely to affect, yet it would be in this, as well as in every other case, the regular course of proceeding to hear counsel upon a petition; and it afterwards remained with their Lordships to adopt such a decision as in their wisdom and justice they should deem meet.

The *Bishop of Durham* said, that were it not for the deference he felt for the high authority of the learned Lord, he should have been disposed in the first instance to oppose any further proceedings in the case, and to oppose the introduction of counsel. A remark made by a noble Lord (Auckland), was undoubtedly of a nature to arrest the attention of the House, viz. the evil that must attend the introduction of French morality into these kingdoms. The French rulers, while they despised of making any impression on us by the force of arms, attempted a more subtle and alarming warfare, by endeavouring to enforce the influence of their example, in order to taint and undermine the morals of our ingenuous youth. They sent amongst us a number of female dancers, who, by the allurements of their most indecent attitudes, and most wanton theatrical exhibitions, succeeded but too effectually in loosening and corrupting the moral feelings of the people; and indeed if common report might be relied upon, the indecency of those appearances far outshamed any thing of a similar nature that had ever been exhibited, he would not say on any Christian theatre, but even upon the more licentious theatres of Athens and of Rome. If their Lordships did but seriously attend to the sad consequences that must result from the exhibition of such spectacles before the eyes of their wives and daughters, while they also felt that it was now in their power to apply the remedy, they would doubtless see the necessity of arresting in *unine*, not only the progress of such scandalous immorality, but also of preventing it for the future; and indeed unless an immediate stop were put to it, the inevitable consequence must

be, that the malignant influence of such contaminating example must finally corrupt both sexes, and their Lordships' time and sittings would henceforward be wholly engrossed by cases of divorce. Twenty years had now elapsed since he had made a fruitless effort to check the growth of divorces. In that House he had indeed been successful; his endeavours, however, had been frustrated in another quarter. But the evil has since increased to such an alarming depravity, that, notwithstanding the influence of the learned Lord who presided over that House with so much honour to himself and so much benefit to his country, and in spite of the well known and truly meritorious exertions of another learned Lord (Kenyon) to check the growth of this particular species of immorality, its progress and corrupting influence still appear to be wholly undiminished. Such therefore was his conviction of the necessity of applying some effectual remedy to this evil, that should no noble or learned Lord who was of more ability, or higher in consideration and authority than himself, undertake the task, however unequal he should prove to its performance, he would assuredly take the first opportunity of moving, "That an humble address be presented to his Majesty, praying that his Majesty would be graciously pleased to prohibit the exhibition of those indecent spectacles, and to order those who performed in them to be sent out of the country."

Mr. Dallas was then heard in support of the Bill (as counsel for Mr. Esten), and went very fully into the subject to establish his client's claim, and persuade their Lordships that he was entitled to the relief prayed for at the hands of the legislature. He stated the marriage between Mr. Esten and Miss Harriet Bennet, and the notorious fact of her living in adultery with his grace the Duke of Hamilton, which he should be able to prove beyond all question. He said, he was aware it had been a prevalent opinion, that on such occasions it was necessary to produce a record of the verdict obtained against the adulterer, but he would take upon him to assert that it was an erroneous opinion, and that it was not only not necessary, but their Lordships had, on several occasions, granted Divorce Bills, where for different reasons, no record of a verdict could be produced. In the case of Mr. Esten he had not a record of the verdict to produce, because his client had been non-suited, but he explained that Lord Kenyon ordered the nonsuit merely because there were articles of separation executed between the parties, Mr. and Mrs. Esten, and not upon the merits, which the court did not go into. The sentence of the ecclesiastical court was in favour of his client, who had obtained a divorce

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a mensis et thro. He accounted to their Lordships to what reason was to be imputed the long delay, that had intervened between the commencement of the adulterous intercourse of the Duke of Hamilton and Mrs. Esten, and the present application, by stating that Mr. Esten was at a considerable distance from this country, in the island of St. Domingo, till lately, and that as soon as he had ascertained the criminal facts, he instituted the necessary suits in the Ecclesiastical Court and the Court of King's Bench, and could not possibly come to their Lordship's bar before he had done so. Mr. Dallas stated the deed of separation to have been executed in 1789, and was contending that of late years such instruments were usually taken into consideration by the Courts of Law, as was evident from several cases that were well known.

The *Lord Chancellor* desired Mr. Dallas to state one or two of those cases.

Mr. Dallas mentioned the case of the late Mr. Wilkes, who applied to the Court of King's Bench for a writ of *Habeas Corpus* to bring up the body of his wife, that he might obtain possession and custody of her person, but articles of separation, having been executed, Lord Mansfield refused to comply with the application, and Mr. Dallas said, there were other well known classes of cases, where articles of separation had been relied on in bar to any attempt of the kind.

The *Lord Chancellor* said, he recollected the case of Mr. Wilkes, whose application was not refused on the ground stated by Mr. Dallas, but because the application ought to have been made in the Ecclesiastical Court, which alone had cognizance of matters of that nature. With regard to Courts of Law taking cognizance of deeds of separation, he knew not of any such cognizance being in their power, as no law could make deeds of separation legal, nor could any thing enable persons once married to get rid of the solemn obligations they incurred by that act, short of a regular Bill of Divorce under the sanction of the legislature.

Mr. Dallas resumed his argument, and having stated that he should call competent witnesses to prove the allegations he had opened to the House, proceeded to adduce evidence.

The marriage, the deed of separation, the sentence of the Ecclesiastical Court, and the adulterous intercourse were all proved. The latter by a servant now living with the Duke of Hamilton, who deposed that Mrs. Esten came from Edinburgh to Hamilton Palace, in 1793, that he had seen her in bed with his Grace, and that she was delivered of a child in the Palace about ten months after her first coming there. The

same witness proved the same facts in the Ecclesiastical Court, and in the Court of King's Bench.

Another witness said, that he knew Mr. and Mrs. Esten well, that he saw Mr. Esten in town in great distress in 1789; that he met Mrs. Bennet (the mother of Mrs. Esten) soon afterwards, who commissioned him to inform Mr. Esten that if he would sign articles of separation, she would give him money to enable him to go to France, and allow him something to support him while there: that it was two or three days before he would consent, during which time, he never saw a man more affected, or in greater agitation of mind. That Mrs. Bennet having declared, that if Mr. Esten would not accept her offer, she would leave him to his fate; and then a jail must be his portion; he at length reluctantly agreed to the terms and executed the deed. The witness said he was convinced Mr. Esten loved his wife sincerely, but that his distress drove him to compliance, and he received a small sum, about twelve guineas, and had some remittance sent to him in France. Mrs. Esten was at the time engaged at the Dublin theatre, and performing on that stage; she has likewise acted at the theatre in Bath, in London, and Edinburgh.

Another witness, who said he had pecuniary connections with Mr. Esten, produced three or four letters from him, dated Cape Nicolz Mole, in one of which he spoke of his wife in the warmest terms of affection, and stated that fortune having smiled upon him, he hoped to come home; and once more live with her; but begged the person addressed to let him know if any thing had happened, that was likely to prevent his wished for re-union. The witness did not chuse to interfere in matters of a domestic nature, but soon after received another letter from Mr. E. informing him of his having heard of the reported criminal intercourse, and begging him to enquire into the truth of it. In a third letter Mr. E. desired his friend immediately to take the necessary steps to prosecute, that the might be enabled to procure a divorce.

Mr. Graham (of counsel for Mrs. Esten) having admitted the articles of separation that were produced to be authentic, they were handed up to the table together with the letters that had been read.

The deed of separation was closely examined by the Lord Chancellor, and some severe and pointed remarks were made upon it by the Bishop of Rochester; some passages which he had pointed out were read by the Clerk—they were rather curious in their tendency: one of them granted the husband's permission to the lady to follow her inclination; without mo-
lestation

lesitation or hindrance, in public or private, in apartments, &c. upon which it was observed by the Bishop of Rochester, that these clauses were in effect, on the part of the husband, a "*traditio in manum* of his wife to every adulterer in the streets."

The counsel and witnesses were ordered to withdraw.

The House being resumed,

The *Lord Chancellor* said, that before going into the Committee a noble Duke had expressed himself in strong language against the present case, but from the evidence which had since appeared, in terms not of too strong disapprobation. He rose therefore to make a motion which their Lordships would find themselves compelled to agree to. The articles of separation formed an insuperable bar to any divorce, and the circumstances of collusion which appeared in the case rendered it the duty of the House to reject the application. On the motion for the second reading of the Bill, therefore he moved their Lordships that it be rejected.

It was accordingly thrown out.

The *Lord Chancellor* again rose and said, that he was glad that a right rev. Prelate had expressed his intention to bring forward some measure to prevent the frequency of applications for divorce, and he hoped he would persevere in his design. He hoped too that what the reverend Prelate had said would have its weight where it ought to have weight. Something certainly was necessary to be done by their Lordships as guardians of the public manners, to check the number of cases in which they were called upon to give their sanction to divorces. It was well known that divorce bills were now considered as little more than mere matters of form. It was notorious that cases occurred in which the grossest collusion existed between parties to procure these bills, and though this collusion was flagrant to the world, their Lordships, from the proof being, perhaps, from the way the case was managed, unattainable, were compelled not to see what was so palpable to every individual out of the House. This gross and scandalous abuse required to be remedied. Though some more extensive measure might perhaps be necessary to go to the root of the evil, something might be done by their Lordships in the way of regulation. It was a difficult matter to specify, with any degree of accuracy in a legislative measure, how such a body as their Lordships should act in every particular case of the kind that came before them, but there were some general rules that might precede the consideration of every case, and with which parties coming before them might be obliged to comply. He would suggest, therefore,

therefore, in the first place, a resolution, that every party presenting a petition to their Lordships for a divorce, should be required to lay on the table at the same time a copy of the proceedings in the ecclesiastical and other courts, in order that it might in some degree be known how the cause had been conducted, and whether there were any circumstances of collusion. It might likewise be proper to call upon the party presenting a petition, to make oath of the proof of the facts contained in it. If a man was acting fairly and honestly, it could be no hardship to call upon him to prove the truth of the assertion by an oath, and the House would be authorised to refuse the bill, unless the condition which they required was observed. Though he was not at present prepared to say what effect articles of separation ought to have in an application for divorce, it certainly was proper that their Lordships should know, and be able to weigh the importance they would attach to the circumstance of the adultery being committed in a state of separation or of cohabitation. He would suggest, therefore, that parties should be called upon to state this point distinctly in the petition. These observations he threw out with a view to remedy to a certain extent the abuse complained of. He did not wish their Lordships to proceed to decide upon them with their minds impressed by the extraordinary circumstances of such an unfavourable case as they had just heard. He intended to reduce his suggestions into the form of resolutions, which should be laid on the table, and on some future day taken into consideration. The resolutions should be ready by Monday, and in the course of eight or ten days their Lordships would have time to consider them, and might afterwards be summoned for their discussion.

The Bills on the table were then forwarded in their respective stages, and the House adjourned.

HOUSE OF COMMONS.

FRIDAY, *March 2.*

Mr. Rose moved, that there be laid before the House an account of the offices in the Customs proposed to be abolished and consolidated, pursuant to an Act now pending in Parliament, and also an amount of the salaries annexed thereto. The above account was then laid before the House, and ordered to be printed.

The House went into a Committee on the Scotch Distillery Bill, when it was resolved, That the same duties should continue

must be granted as had been granted by the Act passed last Session. The report was ordered to be received on Monday.

The Corn Exportation Bill to the islands of Jersey, Guernsey, &c. was committed, and the report ordered for Monday.

Several accounts were presented from the Trustees of the British Museum.

COSTS IN MISDEMEANORS.

Mr. *Wilberforce* said, he rose in compliance with the wishes of many of his constituents, to move for leave to bring in a bill to authorize certain courts to give costs out of the county rates in cases of prosecution for misdemeanor by order of magistrates. The present was a moment when the necessity of strengthening the hands of magistrates would be felt. Cases occurred in which prosecutions were commenced by order of magistrates, and it was hard that when these were for the public interest the expence should fall upon the individuals by whom they were ordered. It had once been understood that courts might give such expences out of the county rate, but it had since been found that this could not be done. It certainly was desirable that in some cases this power should be vested in the courts. The magistrates of this country were, a class of men highly useful and meritorious; they undertook, a laborious, sometimes dangerous and expensive duty, for the public advantage. If he were to point out to a stranger what characterized this country in a particular manner from others, he would point out its magistrates as a class of men the natural protectors of the people, and exercising, without any personal advantage, painful, and sometimes invidious duties. To relieve them from the burden with which they were loaded in cases of prosecutions commenced by their direction, was the object of the bill which he now asked leave to introduce. He should not enter into any detail of it then. The greatest pains would be taken to modify and to render it as free from objection as possible in its progress through the House, and every exertion was made to procure information from the different counties, by which its provisions might be rendered generally useful. He concluded with moving, "That leave be given to bring in a bill to enable certain courts to order the expences of prosecution for misdemeanor in certain cases to be defrayed out of the county-rate."

Mr. *Manning* said, he was convinced that the hon. Gentleman did not act here from his own judgment, but was guided by the wishes of some of his constituents. He was sorry that he should be under the necessity of opposing the bill. The county-

county-rate was already loaded with more than it was able to bear. It was levied upon a class not very able to undergo the expence, and he could not agree to any measure by which they would be further burthened, as he conceived without necessity. A bill for the same purpose had been before the House two years ago, which all the pains employed had not been able to render free of objection, and he should have expected some reasons from the honourable Gentleman to shew why such a bill would now be advisable.

Mr. *Henriker Major* explained; that the former bill had passed the Commons, and, after being carried up to the House of Lords, was stopped by the dissolution of Parliament.

Mr. *Henry Lascelles* said, that no magistrate would act, if the expence of necessary prosecutions begun by their order were thrown upon them personally.

Mr. *Rose* said, that a late decision of the Court of King's Bench had changed the state of the case from what it was before, as now it was impossible that costs could be allowed as sometimes it had formerly been.

Mr. *Mainwaring* said, he could not conceive how costs could ever have been allowed, as the prohibitory clause was express.

Mr. *Bunton* said, the hardship on magistrates by the costs being thrown upon them personally was very great. In his own case he had felt it. In carrying into effect the Supplementary Bill, he had been attacked by a mob, and his life endangered. To punish offenders for the sake of public justice, he had indicted them, and they were convicted. The expence, which was considerable, he had in vain applied to the county-rate to pay, but he was obliged to defray it out of his own pocket. He feared, that unless expences were allowed, many useful magistrates would decline acting.

After a few words from Mr. Wilberforce, leave was given to bring in the Bill.—Adjourned.

HOUSE OF LORDS.

MONDAY, *March 5.*

Heard counsel in an appeal from Scotland, in which there were eight decrees on one side, and which were all reversed, except as far as one of them related to the charge of $\text{£}1. 1 \text{ s. } 4 \text{ d.}$ to be paid by the appellant.

A petition was presented to their Lordships on behalf of Mr. Gilchrist, in Scotland, to prevent the sale of an estate, pursuant to an interlocutor of the Court of Session, which order was affirmed by their Lordships.

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The *Lord Chancellor* said that this petition came before their Lordships under circumstances of a peculiar kind. This petition was obviously for the delay of justice; this was the fifth, if not the sixth appeal that had been presented on that very subject; the estate which was the object of it was ordered to be set up for sale in the course of the next week. Under such circumstances it was impossible for their Lordships, consistently with their love of justice, to continue the order for the respondents answer to it, and therefore he proposed that the order for the respondent's answer be discharged, and that it be referred to a Committee of their Lordships on that day (fortnight) to enquire into the propriety of preferring this petition, without prejudice to the Commissioners proceeding to the sale of the estate in question.

All these points were put and ordered.

The *Lord Chancellor* then said, that this petition was signed by two advocates of respectability in Scotland, and out of tenderness to them he would not mention their names, but he could not help expressing a hope that gentlemen at the bar in Scotland would in future abstain from signing petitions which they knew not to be for the purposes of justice, but merely for delay; as they were bound to know the merits of what they signed. If they paid no attention to this suggestion, their Lordships must proceed in the same way towards these gentlemen as the courts of law proceeded against gentlemen of the bar when they signed improper pleas.

Received from the Commons several bills, which were read a first time. — Adjourned.

HOUSE OF COMMONS.

MONDAY, March 5.

The consideration of the report of the Committee of Finance was postponed to that day fortnight.

The bill for reducing a number of holidays in the Custom-house was also postponed to that day fortnight.

MARROONS.

General *Walpole* moved, That an address be presented to his Majesty, to request that he will be graciously pleased to order that there be laid before the House the petition from the Marroons in Nova Scotia to his Majesty.

Mr. *Dundas* said, he had enquired for that petition, and found that there was no such paper in existence.

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General

General *Walpole* said, that he had himself delivered it to the Duke of Portland; he had asked the noble Duke whether he should deliver it to the King or to him; and his Grace informed him that he might deliver it to him, on which he did deliver it to him.

Mr. *Dundas* said, that it was a fact to which he was a stranger, and assured the honourable Gentleman he was desirous to give every satisfaction on the subject; but the paper was not known to him, nor was it described in such a particular manner as to enable him to find it.—He asked whether it was the same paper of which a copy had been sent him in the morning?

General *Walpole* said it was not.

The *Chancellor of the Exchequer* wished the paper to be identified, and its date particularly specified, so that it could be understood.

Mr. *Tierney* thought there could be little difficulty in finding a paper of so singular a description; besides his honourable Friend had stated that he himself had given it to the Duke of Portland. He advised to amend the motion by making it for all petitions from the Maroons.

The question was put and carried. General *Walpole* then moved for several other papers, but a doubt arising respecting the mode of applying for them, he withdrew his motion.

The *Solicitor General* moved, that it be an instruction to the Committee to whom it is referred to consider of a bill for preventing the resources of the country from passing to the enemy through the medium of the United Provinces, to enlarge the powers of the said bill, which was granted.

The House then resolved itself into the said Committee, which went through the bill in the usual form. The report was brought up, and ordered to be received the next day.

The order being read for the House to resolve itself into a Committee of Supply,

Sir *John Sinclair* rose for the purpose of moving that the sum of 3000*l.* should be granted to the Board of Agriculture for the year 1798.—The utility of this Board to the Public, he said, would be abundantly proved, if any one doubted it, by the documents which he held in his hand, and which were before the House; but he thought it necessary to add, that he derived no profit or advantage whatever from his situation as President at that Board. It had been stated in the newspapers, that he had subscribed to the voluntary contributions the sum of 500*l.* the amount of his salary as President of the Board of Agriculture; but he must correct this statement, and assure the House, that

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he derived not any advantage from his situation above any other member of the Board. He should add no more, but move the grant of 3000^l.

Mr. *Baker* said, he perceived the account of the expenditure of the years 1794, 5, and 6, but not of last year, he wished to know the reason?

Sir *John Sinclair* replied, the grant of last year had not yet been received by the Board.

The *Chancellor of the Exchequer* said, that the manner in which the money was intended to be expended when received would probably answer the honourable Gentleman's wish. The Board most unquestionably, as connected with the public, was of great public utility, and he trusted the Committee would agree to vote the sum; if they thought the Board was not well conducted, they could hereafter add Parliamentary provisions.

Mr. *Tierney* said, before he voted any more, he should like to know what became of the last; it was voted but not paid.

The *Chancellor of the Exchequer* said, that nothing had become of it, it was not issued.

Mr. *Tierney* insisted, that the distribution paper ought to be before the House before any more was voted.

This introduced a desultory conversation across the table respecting the distribution paper.

The *Chancellor of the Exchequer* observed, that the distribution paper was delayed, in order to make it as perfect as possible; since though the year ended on the 5th of January, all the supplies voted were not collected until the 5th of April.

The sum of 3000^l. was then voted for the Board of Agriculture.—Adjourned.

HOUSE OF LORDS.

TUESDAY, *March 6.*

Read several Bills on the Table.—Adjourned.

HOUSE OF COMMONS.

TUESDAY, *March 6.*

Mr. *Habhouse* moved for a variety of accounts of money advanced by the Bank to Government, outstanding on the 31st of December last.—Ordered.

The bill for allowing corn to be imported into Guernsey and Jersey was read a third time and passed.

Mr. *Douglas* brought up the report of the bill for preventing the

the importation of sail-cloth to Ireland, which was ordered to be read a third time.

Mr. Alderman *Lusington* brought in a bill for rendering the responsibility of merchant ship-masters for goods committed to their care more extensive. The bill was read a first time, and ordered to be read a second time on the 4th of April.

A message was received from the Lords, stating that they had agreed to a variety of bills.

Adjourned to Thursday.

HOUSE OF LORDS.

THURSDAY, *March 8.*

PEERAGE OF BEAUMONT.

The House having resolved itself into a Committee of Privileges, the consideration of the claims of Mr. Stapleton to the above peerage, was resumed.

The *Lord Chancellor* rose, and after slightly noticing one or two of the most prominent points of the evidence which had been adduced, confessed, that during the interval of the last sitting of the Committee, he was so circumstanced as not to be able satisfactorily to make up his mind as to the merits of the claimant's case; other Lords, however, might be decided in their opinions, in which case he wished them to come forward. But if the Committee did not chuse to proceed in the discussion on that day, for his part, he should request their Lordships' indulgence till Tuesday next, on which day he hoped to be perfectly prepared to deliver his sentiments.

This appearing to be the general sense of the Committee, the further consideration of this subject was accordingly postponed till Tuesday; and the House resumed.

The various Bills before the House were forwarded in their respective stages.

Mr. S. *Douglas* presented, from the House of Commons, the Bill for taking off the bounty on sail-cloth, exported to Ireland.

Mr. *Hobart* brought up the Bill for allowing an additional quantity of corn to be exported to the island of Guernsey, &c. and also the Dutch Property Bill.

Four private Bills were presented by different Gentlemen.

The above Bills were severally read a first time—after which their Lordships adjourned till the next day.

HOUSE OF COMMONS.

THURSDAY, *March. 8.*

Mr. *William Dundas* brought up a Bill for enlarging the powers of the Merchants' Company of Edinburgh, which was read a first time.

The *Master of the Rolls* moved the thanks of the House to the Rev. Charles Moss, Doctor in Divinity, for his sermon preached at St. Margaret's, Westminster, on Wednesday last.

The motion was seconded by Sir William Dolben, and agreed to *nem. con.*

The Bill for disallowing the bounty on sail cloth exported into Ireland, was read a third time, and passed.

The Bill for regulating the Carrying of Slaves, was postponed till that day fortnight.

The report on the Scotch Distillery Bill was brought up, and the Bill ordered to be read a third time the next day.

The Bill for providing Pay and Clothing for the Militia, for the year 1798, was read a first time.

The Dutch Intercourse Bill was read a third time, and passed. Adjourned.

HOUSE OF LORDS.

FRIDAY, *March 9.*

Lord *Seaforth* (late *Francis Humberstone Mackenzie*, Esq.) was introduced in the usual form, sworn, and took his seat. His supporters were, Lord Douglas of Lochlevin (Earl of Morton), and Lord Stewart, of Garlies (Earl of Galloway).

The Royal Assent was given by commission, to the following Bills:—The Exchequer Bills, Lords St. Vincent and Duncan's Annuities, Gold and Silver Watch-Case, the Mutiny, Portugal Salt Importation, and the Bill for rectifying certain Mistakes in the Land-Tax Commissioners' Name Bill; also to Fozard's Divorce, and six other private Bills.

The Lords Commissioners on this occasion were, the Archbishop of Canterbury, the Lord Chancellor, and Earl Spencer.

The various Bills before the House were forwarded in their respective stages.

Certain Annual Accounts were presented from the Mercer's Company, for the perusal of their Lordships.

Mr. *Burdon* presented a private Bill from the House of Commons, which was read a first time. After which their Lordships adjourned till Monday.

HOUSE

HOUSE OF COMMONS.

FRIDAY, *March 9.*

Two Masters in Chancery brought a message from the Lords, informing the House that the Lords had agreed to several private and public Bills.

A Person from the Mercers Company brought to the Bar the usual annual account, which was ordered to lie on the table.

The Usher of the Black Rod waited to desire the attendance of the House in the Lords to hear the King's commission read.

The *Speaker* returning, informed the House that the Royal Assent was given by commission to several Bills.

On motion of Mr. Rose, ordered that an account of the Exports and Imports of the last year be laid before the House, and a person from the Customs attended and gave it in at the Bar accordingly. It was ordered to lie on the table.

The Militia Clothing Bill was read a second time, and ordered to be committed to a Committee of the whole House on Monday next.

The Scotch Distillery Bill was read a third time and passed. Adjourned to Monday.

HOUSE OF LORDS.

MONDAY, *March 12.*

Counsel was heard on the Scotch Appeal, *Munroe v. Campbell* and *Malcolm*. After which the House *affirmed* the decree of the Scotch Courts.

The Bills on the table were forwarded in their respective stages.

Adjourned till the next day.

HOUSE OF COMMONS.

MONDAY, *March. 12.*

Mr. *Hunter* brought from the Tax Office an account of the Assessment Duty on Clocks and Watches for three quarters of a year, as far as it could be made up.—Ordered to be laid on the table.

The *Chancellor of the Exchequer* said, that it was in his opinion proper that the opinions presented against the clock and watch duty should be referred to a Committee of the whole House on Wednesday, at which time it was his intention to propose

propose something in lieu of that tax. It was necessary, however, in point of form, that the report of the Committee to whom this matter was referred, should be read; which, upon his motion, was read *pro forma*.

He then moved that the House do on Wednesday next resolve itself into a Committee of the whole House to consider of the said report.—Ordered.

Mr. *Hobhouse* said, that what he had to observe referred to a business for the discussion of which a day was now fixed. He should, however, be glad to know the reason why this report had not been brought before the House for consideration sooner; for it was very well understood that the masters as well as men in the clock and watch trade were in the course of ruin by this tax.

The *Speaker* observed, that as a day had been appointed for the discussion of this business, it was not regular to enter into that discussion at present.

Mr. *Maimwaring* said, there had been no delay in the prosecution of this business from him. No man in that House could be more anxious than he was to obtain relief to the clock and watchmakers, because no man could be more aware than he was of the extreme distress to which this late tax reduced these unfortunate persons. The reason why he did not bring forward this matter sooner was, that he understood that the right honourable the Chancellor of the Exchequer had been for some time engaged in examining into the matter, and that he meant to bring forward another tax in lieu of this.

Colonel *Walpole* gave notice that he should bring forward his motion respecting the Maroons that day fortnight.

Mr. *Jones* said, he should in a short time bring forward a motion respecting the emigrants in this country.

The *Chancellor of the Exchequer* said, that this was a subject of great importance, but the manner in which the honourable Gentleman had stated it was too general to convey to the House such information as they were likely to desire, but a learned friend of his, the second law officer of the Crown in that House (the Solicitor General), had intimated to him an intention of proposing a renewal, together with some amendments, to the Alien Bill, perhaps that measure might render the motion of the honourable Gentleman unnecessary. If the honourable Gentleman wished for the register of the emigrants he was likely to be satisfied in that respect, for, that was in the contemplation of the law officer to whom he had alluded.

Mr. *Jones*

Mr. Jones said, that this was his idea on the subject, and he was happy to hear that it was to be taken up by the law officer of the Crown, for then it would be in the best hands.

The *Chancellor of the Exchequer* gave notice of a motion for leave to bring in a Bill for increasing the rate of allowance to innkeepers and others on whom soldiers are quartered.

The order of the day on the report of the Committee of Finance was deferred to that day fortnight.

The order of the day on the Bill for limiting the number of holidays in the public offices, was deferred to Thursday next.

The Militia Clothing Bill was deferred to Wednesday, as also Committees of Ways and Means, and Supply.—Adjourned.

HOUSE OF LORDS.

TUESDAY, March 13.

COMMITTEE OF PRIVILEGES.

The House having resolved itself into a Committee of Privileges, Lord Walsingham in the Chair, the consideration of the case of Thomas Stapleton, of Carlton, in the county of York, Esq. as claimant of the Barony of Beaumont, was resumed.

The *Lord Chancellor*, in an able, perspicuous, and comprehensive speech, detailed the leading features of the case, as stated by the petitioner, and as established by the evidence, adduced to support the petitioner's claim. To submit to their Lordships a clearer view of the merits, he entered into a succinct detail of the history of the peerage of Beaumont, tracing it from Henry de Beaumont, summoned to Parliament as Baron Beaumont, in the second, third, fourth, twelfth, and in several other years of Edward the second, in the sixth of Edward the Third, and as Earl of Bogenham in the twelfth, and several other years of the same king, down to John, Baron Beaumont, summoned by writ in the eleventh, and several other years of Henry the Sixth, created Viscount by patent, in the eighteenth of the same king, and slain at the battle of Northampton, in the thirty-eighth year of Henry the Sixth's reign. His Lordship stated, that Henry the eldest son of the said John Viscount Beaumont, died in 1442, in his father's life time, leaving no issue. That William, the second son of the said John succeeded as Viscount and Baron Beaumont, and was attainted in Parliament in the first of Edward the Fourth, but was restored to his honours by Act of Parliament, in the first

first year of the same reign, and was summoned as Viscount Beaumont in the same year, and that Thomas Stapleton, Esq. the petitioner, had proved himself to be the eldest surviving son and co-heir of Henry de Beaumont, as sole heir of Joan, Lady Stapleton, eldest daughter of Joan, Lady Lovell, only daughter of John, and sister of William, Viscounts Beaumont. The peerage therefore of Beaumont his Lordship stated to have been established as having a clear, legal existence, but that it was in abeyance. His Lordship referred to the arguments of Mr. Attorney General, held at the Bar, in behalf of the Crown, and took notice of the legal effect of the attainder of William Viscount and Baron Beaumont, (though afterwards restored to his honours) upon the petitioner's claim, respecting which he hinted that he had entertained an idea of taking the opinion of the Judges, but gave up that upon the consideration that it lay with their Lordships exclusively to decide upon all points relating to honours and dignities. After having elucidated every part of the case, as well as stated the way in which precedents went, where an attainder had for a time been suspended, and afterwards restored; his Lordship concluded with moving:

I. That the Barony of Beaumont was vested in William Viscount Beaumont by descent from his father John Lord Beaumont, who was summoned to, and sat in Parliament, 11th. Henry Sixth, as a Barony in Fee.

II. That the said Barony remains in abeyance between the co-heirs of the said William, descended from his sister Joan.

III. That the petitioner is one of these co-heirs. The said resolutions were ordered to be reported to the House.

Lord Hay (*Earl of Kinnoul*) rose, not, he said, to controvert the observation of the noble and very learned Lord, but chiefly to observe, that he protested against a doctrine advanced by the Attorney General at the Bar, who, no doubt, was actuated by the most honourable and pure motives in maintaining it, which (as it appeared to his Lordship) went to establish the position, that one person should suffer for the guilt of another, and should eventually feel the ill effects of a conduct which he could not possibly prevent. His Lordship dwelt on this idea with considerable force and feeling: and illustrated his arguments by some particular cases, that might possibly arise, in which the cruelty and injustice of such a doctrine were clearly manifest. Among others he put the case of Lord Adam Gordon and himself being co-heirs, and that Lord Adam assisted in suppressing a rebellion, in which he (Lord Kinnoul) might have been a leader. He would ask

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their Lordships whether, on that account, Lord Adam Gordon, should be precluded from those rights to which he would otherwise have been entitled? He offered these observations, he said, purely from the impulse of an honest mind; and as an independent Peer of Parliament.

The *Duke of Norfolk* said, he acquiesced in much of what fell from the noble Earl; but that in the course of his argument, he thought the point was strained by him a little too far. His Grace said, that that was not the time when it was proper to discuss the equity of the law of England. But from the first establishment of those laws, he always understood that an attainder, on conviction of treason, forfeited all rights and claims, which the inheritor of such person might otherwise be authorised to pursue. His Grace was proceeding to illustrate this position when he stopped, and acknowledging himself not to be perfectly prepared, said he should not at that time trouble their Lordships further on the subject.

Lord *Kinnoul* said a few words in explanation.

The *Lord Chancellor* said, he was happy to find that the sentiments of the noble Duke, on this occasion, corresponded with his own. Undoubtedly the law of England, whether wisely or not, it was not his present purpose to argue, had withdrawn the favours of the Crown from the descendants of persons attainted; and this, perhaps, was no slight check and guard upon the actions of men of title and consequence. He meant not to go farther into the subject, but he should think himself deficient in the duty which he owed to his station and his character as a Peer, if he had not made those observations. These circumstances, however, he said, were not involved in the subject before them, and he concluded with persisting in the resolutions he proposed.

These resolutions were asserted and agreed to *nem. dis.* and ordered to be presented to his Majesty by the Lords with white staves: and after forwarding the Bills before them in their several stages, the House adjourned till the next day.

HOUSE OF COMMONS.

TUESDAY, March 18.

Mr. *William Seaton* moved for leave to bring in a Bill for declaring the validity of the order of the Council of the 6th of August 1794, and for enlarging the time of appealing in Prize Causes, and for permitting appeals under such circumstances as his Majesty shall deem expedient. Leave granted.

Mr.

Mr. *Wilberforce* gave notice, that he would on Wednesday se'nnight make a motion relative to a business which had already been frequently before the House, (the Slave Trade.)

Mr. *Hobhouse* said, that some time ago he had the honour of moving, That an account be laid before the House, of the amount of the value of all British and foreign merchandize, exported and imported on the fifth of January 1797, on the fifth of July 1797, and on the fifth of January 1798; the papers alluded to were promised to be laid on the table in a few days; but on perusing them, he found them altogether unsatisfactory, as they omitted the half year, an accurate account of which he deemed the most important; neither did they enumerate any particular article, but purported only to be an account of imports and exports in general. He therefore found himself under the necessity of renewing his motion, which he repeated as above.

Mr. *Rose* said, that he had never expressed any reluctance to producing these accounts, but only requested that the honourable Gentleman would postpone his motion till all the accounts of the year relative to that subject should be made up. The House required in general only yearly accounts to be presented, but if the honourable Gentleman had any curiosity to inspect more particular accounts, he should have no objection to produce them.

Mr. *Hobhouse* said, he felt that curiosity.

The *Chancellor of the Exchequer* said, that he had no objection to gratifying the honourable Gentleman's curiosity; on the contrary, he was glad that the accounts should be produced, as they would impart information respecting the state of our trade, which he doubted not but the honourable Gentleman would find extremely satisfactory.

Mr. *Hobhouse* then moved, that there be laid before the House an account of the value of British and foreign merchandize imported and exported, up to the half years ending the fifth January, 1797, the fifth July, 1797, and the fifth January, 1798, distinguishing such articles as exceeded in value 10,000*l.*—Ordered.

The *Chancellor of the Exchequer* then moved, that it be an instruction to the Committee to which the petitions of the clock and watchmakers had been referred, that they do consider of the several duties now payable on inhabited houses, on window-lights, horses used in husbandry, and on dogs.

The Commission on the Bill for abolishing certain offices in the Customs was postponed till that day se'nnight.

The Bill for augmenting certain rates allowed to innkeepers and others on whom soldiers are quartered, was read a first time. Adjourned.

HOUSE OF LORDS.

WEDNESDAY, *March 14.*

Forwarded the Bills on the table in their respective stages. Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, *March 14.*

DUTY ON CLOCKS AND WATCHES.

The *Chancellor of the Exchequer* said, that he thought it advisable to defer to Friday next, the detail of the subject which stood for this day's discussion; because it was necessary to have a little more time to class and arrange the heads of the plan he had in contemplation. He should for the present confine himself to the simple vote of a repeal of the duty on clocks, watches and time-pieces. He should, however, state in passing, that he should propose some augmentation of the duties now imposed on the various articles of inhabited houses, window lights, horses and carriages, servants; horses used in husbandry, and dogs; that augmentation would perhaps amount to one seventh or eighth part of the present duty, so as to amount to the sum of 200,000*l.* the amount of the estimated produce of the watch and clock duty. He should also observe that he intended to propose a consolidation of the Assessed Taxes, independent of the augmentation which he had to propose, and by which the revenue might be a little, but not much increased. He wished Gentlemen might be aware of the nature of the resolutions he should have to propose. The chief reason why he could not detail them then was, that the various rates of duty on windows, according to their number, was of rather a complicated nature, the whole of which he should be prepared for on Friday. He therefore should now only propose the repeal of the Watch and Clock Duty; and move afterwards that the Chairman do report progress, and ask leave to sit again. He then moved that the Speaker do now leave the chair.

The House then resolved itself into a Committee of the whole House.

The *Chancellor of the Exchequer* said, that the subject then referred to the Committee, was a Tax upon clocks and watches,

watches. This tax in its effect was so different from what had been foreseen, pressed so heavily on a very useful, ingenious, industrious and valuable class of men, that however large the sum was which it might produce, even in these times, and however general the concurrence was with which it was received, yet upon a dispassionate enquiry and candid examination of evidence, it would appear just and reasonable that this tax should be repealed, and some other duty imposed to replace its amount. He had already given notice of the articles he had selected for that purpose.—He should now content himself with moving a resolution for the repeal of the duty on clocks and watches. But to prevent misapprehension, he thought it necessary to observe, that he intended the repeal to apply solely to clocks, watches, and time-pieces, and that the resolution was to have no effect whatever upon the scale of assessment taken as a criterion of ability to pay the additional assessment which was lately imposed. He was not now going to argue upon the propriety of that assessment, or to enter into any discussion upon its principle; he only wished that Gentlemen might be aware that this did not affect the assessment or the scale of contribution adopted in the late act. He then moved, That it is the opinion of this Committee, that the duties on clocks, and watches, and Time-keepers granted in the last session of Parliament, do cease and determine.—Carried.

Progress was then reported, and the report of the Committee was ordered to be received the next day.

A message from the Lords informed the House that their Lordships had agreed to several Bills.

The other orders of the day were deferred.—Adjourned,

HOUSE OF COMMONS.

THURSDAY, *March 15.*

Sir *William Scott* brought in a Bill for declaring the validity of his Majesty's order in council of the 6th of August, 1794, relative to appeals, and for enlarging the time of presenting them, &c.—Read a first time, and ordered to be read a second time on Tuesday next, and to be printed.

Mr. *Habart* brought up the report of the Committee on the Watch Duty Repeal Bill, which was read and agreed to.

The Bill for reducing the number of holidays in several public offices, and enforcing the personal attendance of certain officers, &c. passed a Committee of the whole House, and several clauses were brought up by Mr. *Rose*, and agreed to; the principal ones were that of preserving certain days as holidays, such

such as Sunday, Good Friday, Christmas-Day, Ash-Wednesday, the Restoration of King Charles the Second; the King's, and Queen's, and Prince of Wales's birth-day. And also to empower the Commissioners, with the approbation of the Lords of the Treasury, to regulate the hours of attendance of officers in such manner as to them shall seem proper at the different ports, as circumstances may require, due regard being always had to the most convenient mode of collecting the revenue. And also to make an allowance, by way of compensation, to such officers as may be compelled to give additional attendance. And lastly, not to extend the provisions of the Bill as far as it compels personal attendance, to any officer who is authorised to execute the duties of his office by deputy.

The report was ordered to be received the next day.

Colonel Porter asked the Minister, when the account, which had been some time promised, shewing the manner in which money, voted for the service of 1797, commonly called the Disposition Paper, would be laid before the House? He was answered the next day.

The Bill for increasing the rate of subsistence to innkeepers and others, on whom soldiers may be quartered, passed the Committee; and the report was ordered to be received the next day.—Adjourned.

HOUSE OF LORDS.

FRIDAY, *March 16.*

The Duke of Bedford thanked their Lordships for permitting him to have his intended motion put off so often, and now rose to observe, that as he had understood from his Majesty's Secretary of State, that Thursday or Friday next would be a convenient day, he should move that the present order be discharged, and a new order made for Thursday. This was a motion by which he did not expect to benefit the country, he had given notice of it more in compliance with the wishes of his friends, than any hopes of his own, that motions of this sort could persuade Ministers to quit places they had disgraced, and a helm which they had guided only to shipwreck the people and overwhelm the country. As their Lordships had been already so indulgent, he hoped, he said, that, if after consulting with his friends, a further delay should be deemed necessary, they would grant it.

The Lords were summoned for Thursday next.

The Bills on the table being forwarded in their stages, the House adjourned till Tuesday.

HOUSE

HOUSE OF COMMONS.

FRIDAY, *March 16.*

The amendments of the bill for encreasing the rate of subsistence to innkeepers and others, on whom soldiers may be quartered, were read and agreed to, and the bill was ordered to be engrossed.

Sir *Charles Bunbury* gave notice, that he should on Tuesday or Wednesday next, make the motion of which he had some time ago, given notice relative to the duty on taxed carts imposed by the 35th of his present Majesty.

The *Chancellor of the Exchequer* said, he was under the necessity of deferring until Monday the detail in a Committee of the resolutions upon taxes in lieu of the watch tax. The resolutions were as numerous as those of the last window duties, and as they were to be on the same scale, it required further time to prepare them, for they were of a complicated nature, and progressive in their advancement according to the number of windows. He said, that he trusted the honourable Baronet would not think it necessary to bring forward his motion after he had submitted the detail of his plan of taxes in lieu of the watch and clock duties; however, if the honourable Baronet had any specific proposition to bring forward, he hoped he would now state the outline of it.

Sir *Charles Bunbury* said, he should not propose any measure, if the right honourable Gentleman meant to move for leave to amend the act respecting taxed carts.

The *Chancellor of the Exchequer* said, he meant to propose alterations to a certain extent; if that should not meet the ideas of the honourable Baronet, he might of course take any opportunity of submitting what he thought fit; at the same time, he could not help observing, that as this was a subject which related to the general question of revenue, it ought not to be decided by local considerations. Whatever could be done in a general way to prevent any hard case, he had no objection to, but he trusted the House would not assent to any measure that had not a general tendency.

The report of the Committee on the bill for regulating the number of holidays in public offices, &c. was brought up. The amendments being read and agreed to, and the question being put, "That the bill be engrossed,"

Sir *John Sinclair* said, that this bill was of great importance, and he thought it would be right to defer it.

The *Speaker* said, it was irregular to suggest any idea of deferring

setting the bill until the question was either put for the ingrossment, or withdrawn.

The *Chancellor of the Exchequer* said, that if the honourable Baronet had any thing to urge upon this bill, he must be aware he could do so at any subsequent stage. He hoped, however, the honourable Baronet would suggest his ideas then, and the reasons why he asked for delay; and if he did, the present motion might be withdrawn.

Sir *John Sinclair* said, he certainly did consider this bill as a measure of great importance. It proposed that certain hours of attendance should be fixed by the Commissioners. He entertained some doubts respecting the propriety of giving an unlimited power to the Commissioners of the Treasury. If he remembered rightly, this bill was brought in contrary in some respects, to the suggestions of the Committee of Finance. He wished to state his ideas upon the report, and therefore wished that this motion should be delayed. On these grounds he not only wished that the consideration of these amendments should be delayed, but also that the bill, with the amendments, should be printed.

The *Chancellor of the Exchequer* said, that the grounds stated by the honourable Baronet for opposing this report were the most extraordinary he had ever heard submitted. This subject had been delayed from time to time, and the honourable Baronet had frequent opportunities of bringing forward any observations he thought fit; but he had suffered the bill to be proceeded in, the report to be gone through, and on motion for the ingrossment he discovered he had something of importance to suggest. He objected to the power given by this bill to the Lords of the Treasury in the granting of holidays. There was not a word in the bill that tended to give them any such power, they were only empowered to make a suitable allowance to certain persons by way of compensation for extraordinary trouble and labour. As to the number of holidays, he believed the provisions of the bill were conformable to the suggestions of the Committee of Finance; if they were not, the honourable Baronet might have taken notice of the variation in the Committee, or he might move any thing in that particular upon the third reading of the bill.—He was ready to delay this measure for any reasonable time, provided there was any hope that any good use could be made of it; but as the honourable Baronet had made so little use of his delay hitherto, he could not hope for any benefit from further delay. He was so ready to assent to a short delay, that really, without meaning any thing uncivil, he should have done so of course, if the honourable Baronet had

had not assigned his reasons for delay, but having heard these reasons, he was bound to resist the application.

Sir *John Sinclair* said, this bill had been so often delayed, that he did not know there was any impropriety in asking for some further time; nor did he know when it was sure to come on. He still thought that the regulation of the holidays was not agreeable to the suggestions of the Committee of Finance. He objected also to the clause for making compensation to persons for extraordinary labour, unless there was to be some limit to the power of the Commissioners.

The question was then put, that the motion for the ingrossment be withdrawn, and negatived; and the question for the ingrossment put and carried; and the bill ordered to be read a third time on Tuesday next.

The order of the day for considering the taxes in lieu of the watch tax was deferred to Monday.

The Disposition Paper for 1797 was laid on the table, and on the motion of Colonel Porter was ordered to be printed.

Deferred the other orders of the day.—Adjourned to Monday.

HOUSE OF COMMONS.

MONDAY, March 19.

The *Lord Mayor of London* brought up a report of a Committee to whom it was referred to consider of the Act of Parliament of the 7th year of the reign of the present King, for preventing fraud in the admeasurement of coals in the port of London, &c.

The report being read,

The *Lord Mayor* then moved, That leave be given to bring in a bill to continue the above act, which is now near expiring.—Granted.

The *Lord Mayor* brought up another report of a Committee, to whom it was referred to consider of the Act of the 3d of James I. for the recovery of small debts, and for the relief of debtors in certain cases.

The report being read, he moved for leave to bring in a bill to alter and amend the said Act. Granted.

COFFEE.

Mr. *Bryan Edwards* moved that there should be laid before the House an account of the coffee imported into this country from Jamaica and from the British plantations, the former for seven, the latter for five years, distinguishing each year.

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The *Chancellor of the Exchequer* said, that if the honourable Baronet had any thing to urge upon this bill, he must be aware he could do so at any subsequent stage. He hoped, however, the honourable Baronet would suggest his ideas then, and the reasons why he asked for delay; and if he did, the present motion might be withdrawn.

Sir *John Sinclair* said, he certainly did consider this bill as a measure of great importance. It proposed that certain hours of attendance should be fixed by the Commissioners. He entertained some doubts respecting the propriety of giving an unlimited power to the Commissioners of the Treasury. If he remembered rightly, this bill was brought in contrary in some respects, to the suggestions of the Committee of Finance. He wished to state his ideas upon the report, and therefore wished that this motion should be delayed. On these grounds he not only wished that the consideration of these amendments should be delayed, but also that the bill, with the amendments, should be printed.

The *Chancellor of the Exchequer* said, that the grounds stated by the honourable Baronet for opposing this report were the most extraordinary he had ever heard submitted. This subject had been delayed from time to time, and the honourable Baronet had frequent opportunities of bringing forward any observations he thought fit; but he had suffered the bill to be proceeded in, the report to be gone through, and on motion for the ingrossment he discovered he had something of importance to suggest. He objected to the power given by this bill to the Lords of the Treasury in the granting of holidays. There was not a word in the bill that tended to give them any such power, they were only empowered to make a suitable allowance to certain persons by way of compensation for extraordinary trouble and labour. As to the number of holidays, he believed the provisions of the bill were conformable to the suggestions of the Committee of Finance; if they were not, the honourable Baronet might have taken notice of the variation in the Committee, or he might move any thing in that particular upon the third reading of the bill.—He was ready to delay this measure for any reasonable time, provided there was any hope that any good use could be made of it; but as the honourable Baronet had made so little use of his delay hitherto, he could not hope for any benefit from further delay. He was so ready to assent to a short delay, that really, without meaning any thing uncivil, he should have done so of course, if the honourable Baronet had
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The question was then put, that the motion for the ingrossment be withdrawn, and negatived; and the question for the ingrossment put and carried; and the bill ordered to be read a third time on Tuesday next.

The order of the day for considering the taxes in lieu of the watch tax was deferred to Monday.

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Deferred the other orders of the day.—Adjourned to Monday.

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Mr. *Bryan Edwards* moved that there should be laid before the House an account of the coffee imported into this country from Jamaica and from the British plantations; the former for seven, the latter for five years, distinguishing each year.

Mr. *Wilberforce* put off his motion on the Slave Trade to this day fe'night.

ASSESSED TAXES.

The *Chancellor of the Exchequer* said, that before going into the Committee of Ways and Means he should state in a few words the general outline of the plan he meant to propose, to supply the deficiency of the watch-tax. His object was a consolidation and augmentation of the rates on inhabited houses, on the scale of the number of windows; some increase of the rates was proposed upon the table of the assessed taxes; some new arrangements were intended; the scale would be made more regular; some limitations would be adopted; and provision made to prevent too abrupt a rise, and to remove as much as possible the temptation to stopping up of windows, which too great a rise would occasion. The sum at present raised on this class was 1,250,000*l.* and the intended alteration applying in different degrees to the articles of servants, horses, and carriages, dogs, and inhabited houses, would produce 205,000*l.* It would be evident to the House that the projected alterations, limitations, increase, &c. in their different applications, would require a great detail of resolutions, and in a verbal statement would not be intelligible. His wish therefore was, merely to move these resolutions in the Committee, and move that they should be printed and submitted to future discussion. The resolutions would be printed and delivered with the votes, and would be ready to enable the House to enter into the subject on Wednesday on the report. Provided the general substitute was deemed not improper this would be more satisfactory than entering into the discussion on a mere verbal statement.

The House then went into a Committee, Mr. Hobart in the chair, when

The *Chancellor of the Exchequer* moved, That it is the opinion of this Committee that the several duties imposed on inhabited houses by the 19th of the King do now cease and determine.

Sir *M. W. Ridley* rose to express his very anxious desire that the mode of collecting those taxes, especially on that truly useful and meritorious class of the community, the farmers, should by some alteration or other be amended and mitigated—that especially on their horses and dogs was vexatious and oppressive in the extreme. Many cases of these vexatious proceedings had come under his own cognizance as a Commissioner, when he observed with regret that many industrious persons

persons from among the class of husbandmen had been torn away in the middle of winter from their useful occupations in order to answer charges which, when they appeared before the Commissioners, there was no evidence adduced to substantiate. Such careless and wanton persecution could not well fail of exciting murmurs and discontent; and unless some more wise and lenient method of levying those taxes was devised and adopted, he did well see to what extent this tyranny of the tax-gatherers might proceed, or to what excess it might drive the most peaceable and best disposed classes of the community. The misconduct he here alluded to was not only experienced and complained of in the county in which he resided, but also in many other counties of England.

The *Chancellor of the Exchequer* said, that there was nothing in the resolution proposed which weighed with any peculiar and unequal pressure on that valuable class of the community to which the honourable Baronet had alluded.—There could be no particular mode of levying taxes applied to any one description of men without destroying the general plan of collection which had long been in practice, and which experience proved to be the least objectionable. It was not easy to conceive that without any view to gain, or any allurement of interest, persons so employed would render themselves thus gratuitously odious by a mere love of vexation, without the appearance of any temptation that could counteract the inviolableness of a disposition so ungracious. If, however, the honourable Baronet could point out any particular instances in which officers of the revenue had acted in the manner described—if, moreover, their names were mentioned, and the places where they had exercised this vexatious authority specified, he would then answer that their conduct should be enquired into with the most punctual exactness, and if found blameable, they should be removed, or punished with that rigour which such conduct must deservedly incur.—He saw for the present no other remedy that could be effectually applied but such an official regulation.

Sir *Mat. White Ridley* replied and said, that he could not pretend to point out any cases, but such as had fallen under his own cognizance.—Others he had hinted at merely from hearsay.—He might however confidently reassert, that many instances of this vexatious disposition had appeared on the part of the collecting officers, especially with respect to surcharges, and here a strong temptation was held out to them, as half of what was got by the surcharge, if made good, fell to their share, nor did they incur any damages if they chanced not to

succeded. Farmers were also molested from their not knowing when the surcharge was to take place.—Eighteen months often elapsed between the surcharge and when they had mounted a horse, or kept a dog; and when they were called on, if they refused to take the oath, they were then convicted of an offence, which they knew in their conscience they had not committed. The honourable Baronet alluded to many other instances in which, the surcharges, without being founded on evidence, pressed with extreme hardship on farmers and others of a similar description.

The *Chancellor of the Exchequer* said, that unless there were some inducement of profit held out to the collectors of taxes, it could not reasonably be supposed that they would be very forward or punctual in performing a very painful duty; it was, however, his intention to move for leave to bring in a Bill to detect and punish fraud in the conduct of those appointed to collect the taxes, and if it remedied the evil complained of by the honourable Baronet, it would afford him additional satisfaction; he had at the same time some reason to apprehend, that as much blame might attach to those who improperly excused themselves, as could possibly result from any surcharges made by the collecting officers.

The Resolution was then put and agreed to, and the report of the Committee was ordered to be received next day.

The Quarantine Bill was read a third time and passed.

BARK USED IN TANNING.

Mr. *D. Ryder* wished to call the attention of the House to a subject which, in his mind, was of very great importance; and that subject was the present great scarcity of oak bark used in the tanning of leather. Many difficulties had for a length of time occurred, which exceedingly obstructed persons employed in that branch of trade, but as a great quantity of timber had been cut down since the commencement of the war, these difficulties were in some measure removed, and the trade was enabled to go on. The grand desideratum, therefore, was to discover some substitute in lieu of oak-bark, and this, according to a number of experiments that had recently been made, was to be found in elm bark—it was not then his intention to dwell on the merit or tendency of this discovery, which at another period of the business would come more seasonably under discussion, but merely to move for leave to repeal so much of an old act of James I. which prohibited the use of any other materials in tanning of leather but those specified in that Act.

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The Act was then read by the Clerk, and leave was given to bring in the Bill.

The Committees of Supply, and Ways and Means were deferred till Wednesday, and after the other orders of the day had been disposed of, the House adjourned.

HOUSE OF LORDS.

TUESDAY, March 20.

Heard counsel on the claim of William Hamilton, Esq. to the Belhaven and Stenton Peerage, after which it appeared that the opening of the case was more extensive than that which was printed, and as it was contrary to the standing order of the House to hear any evidence that was not inserted in the printed statement, the further consideration of the claim was ordered to stand over, to afford the claimant an opportunity of restating his case and amending the printed account of his pedigree.

Lord *Holland* moved an address to his Majesty, the substance of which, as well as we were able to collect it, was, That his Majesty might be graciously pleased to give directions for laying before the House such parts of the correspondence between his Majesty and the Court of Vienna in the year 1794, as would tend to shew whether or not the Court of Vienna at that time insisted on the possession of Belgium as a *sine qua non* of peace.

Lord *Grenville* said, he should be happy to assent to any motion that could have a tendency to give information to their Lordships on any part of the conduct of the Executive Government, when that could be done with regularity, but here the House must see it was difficult, indeed he might say it was impossible, to comply with the motion of the noble Lord, because in whatever terms the court of Vienna might have corresponded with his Majesty respecting the possession of Belgium, either in 1794, or at any other period, that article made only part of, and might refer to various contingencies in the course of correspondences, and indeed to so many possible events and circumstances, that the whole correspondence between the courts must be disclosed before the particular part which the noble Lord's motion referred to would be intelligible. It must therefore be obvious to the noble Lord himself, that, neither consistently with the good faith of Sovereign Powers towards each other, nor under any view of Diplomatic propriety, could his motion be complied with.

The question was then put, and the motion was **negatived**.

Received

Received from the Commons the Bill for increasing the rate of subsistence to be allowed to innkeepers and others on whom soldiers may be quartered, and several other Bills, which were read a first time.—Adjourned.

HOUSE OF COMMONS.

TUESDAY, March 20.

The Prize Cause Appeal Bill was read a second time, and ordered to be committed on Tuesday.

The Report of the Committee for taking into consideration the increased taxes was brought up, read, and ordered to be taken into consideration.

On the motion for the third reading of the Public Offices Holiday Bill being put,

Sir John Sinclair rose to oppose it, and having related the arguments which he on a former evening had urged against the House agreeing to the report of the Committee on the Bill,

The Chancellor of the Exchequer replied, that the suggestions of the Committee of Finance, had all been most carefully attended to in the formation of the Bill, and he did not doubt but great benefit would accrue from its operation.

The Bill was read a third time, and passed.

The Tanners' Bill was read a first time, and ordered to be read a second time the next day.

The Act of the 37th of the King commonly called the Free Port Act, being read,

Mr. Dudley Ryder stated, that in consequence of certain representations which had been made by persons conversant with the subject, he was of opinion, that the island of Trinidad would be rendered more valuable than at present it is, by a free port. He therefore moved for a Committee to consider of the said Act.—Agreed to.

A Message was brought from the Lords, informing the House that their Lordships had agreed to a private Bill.

The Bill for abolishing Offices in the Customs went through a Committee.

Mr. Harrison wished some method should be adopted to publish the names of those put on the superannuated list under this Bill, as publicity will be necessary to give it effect and to prevent frauds.

The Chancellor of the Exchequer approved of Mr. Harrison's idea, and said, that as a proof his having had it in contemplation he had a clause to offer nearly to the purpose.

The Bill was reported.—Adjourned.

HOUSE

HOUSE OF COMMONS.

WEDNESDAY, *March. 21.*

Lord Minto rose to make a complaint of a Paragraph in a printed Newspaper, intitled the *Morning Chronicle*, Monday, 19th March 1798, highly reflecting upon the honour of this House.

The said Paragraph was read by the Clerk, and was as follows :

" The House of Lords must now be admitted to be highly important as a political Assembly, notwithstanding it has of late appeared to be nothing more than a chamber where the Minister's Edicts are registered for form's sake. Some of their Lordships, for determined to vindicate their importance. It is there that the dresses of the Opera Dancers are regulated ! One of the Roman Emperors recommended to the Senate, when they were good for nothing else, to discuss what was the best sauce for a turbot. To regulate the length of a petticoat is a much more genteel employment."

Then William Probat was called in and sworn, and the said Paper being shown to him, acquainted the House that he bought the said Paper at the house of John Lambert and James Perry, No. 5, Exeter Street, Strand. He was directed to withdraw.

Then Richard Barry was called in and sworn, and produced the Bond entered into for payment of the duties of the said newspaper, executed by the said John Lambert and James Perry. He was directed to withdraw.

Resolved, That the said Paper is a gross and scandalous libel upon this House, and in breach of the privileges thereof.

Ordered, That the Gentleman Usher of the Black Rod, attending this House, do forthwith attach the bodies of the said John Lambert and James Perry, and bring them in safe custody to the Bar of this House to-morrow, to answer for their offence.

HOUSE OF COMMONS.

WEDNESDAY, *March 21.*

The *Chancellor of the Exchequer* moved the order of the day for the House to resolve itself into a Committee of Ways and Means for raising a supply.

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The House having resolved itself accordingly,

The *Chancellor of the Exchequer* moved a resolution, That it was expedient to continue bounties to the Southern Whale Fishery, as specified by the Act of Parliament of the 35th of the present King, and also that some amendments be made in the said act.—Agreed to.

The Report was received immediately, and leave was given to bring in a Bill in pursuance of the Resolution of the Committee.

The *Chancellor of the Exchequer* then moved the order of the day for taking into consideration the Report on the subject of the Assessed Taxes, which being agreed to,

Mr. *Hussey* said, he must submit to the Chancellor of the Exchequer, whether, considering what passed in the Committee, it would not be better to defer the further consideration of this matter for a little while.

The Resolutions now proposed to be considered were not read over in the Committee, but were voted as of course, and reported as of course also; this he did not complain of, because really the proceedings of the House on the subject of Finance were now become so voluminous that it was impossible to adhere to the common orders of the House. He had the paper on which the scale of alteration of the Assessed Taxes was printed. He had endeavoured to understand it, but he confessed he was unable to do so. The regular way was, to consider the Resolution which gave ground for these calculations, for which purpose he applied for the votes, but he could not have them, for they were not ready.—Now having only once heard these votes, and not having an opportunity to read and consider them, he was called upon to assent to or dissent from them. He owned he was not prepared properly to do either. He thought that each Member should take the Resolutions, and not only look them over in the House, but also read and peruse them at home, before he came to assent to, or dissent from, either of them: For this reason he owned he wished the matter not to be settled now.

The *Chancellor of the Exchequer* said, that if the votes were not delivered, he had no objection to postponing the consideration of them; at the same time he could not help observing, that the table containing the scale of calculation, and the rate of progression, conveyed all the sense of the resolution, and that it was better to have the matter thus upon one view, than to mix the question of rateable proportion with the words of seventy resolutions in their nature more difficult of comprehension than the figures thus containing the substance of them. At the

the same time, if any one Member in the House desired it to be postponed, he should be very far from persisting in going on at this moment. He would observe, however, that if any Gentleman had any objection to any part of the scale, perhaps some time might be spared by stating the objection now, for it was possible he might remove such objection, by explaining the nature of the rate, which, if desired, he would do as well as he was able.

Mr. Burdon entered upon several calculations to shew that the scale was so lowered in the lower classes, as to operate very heavily on those a little above them, and chiefly on country gentlemen of moderate fortune; who, many of them, lived in houses that had a great number of windows, but who were not called upon to contribute more to the Clock and Watch Duty, than many others who lived in towns, and who were in a scale below them in the article of windows. He apprehended that as the present augmentation of duty was to supply the deficiency in the revenue occasioned by the repeal of the Watch Duty, the persons to be taxed by this new impost should only bear the proportion they would have borne had the Watch Duty continued. He added, that the country gentlemen to whom he alluded, ought to be as tenderly treated as possible; for they were the most important body of persons in the country, on account of the active share which they took in administering justice without any emolument to themselves.

The Chancellor of the Exchequer declined entering at large into the subject; because an opportunity would be had for a fuller discussion upon it from the papers which were now before the House. There were two objects in view upon this matter: the one was to apply the Assessed Taxes as a substitute for the Watch Tax. The other a matter of convenience in the collection of the revenue; the first of which was explained by the scale before the House; the other was proposed to be effected by consolidating and simplifying, and thereby rendering more regular the charge, or duty, and facilitating the collection of the Assessed Taxes. He then entered into several calculations upon the window duties, and contended that the ideas thrown out by his honourable friend who spoke last, would only lead to a temptation to diminish the number of windows, and thereby injure the Revenue. He observed that it was impossible to form a scale upon this subject with mathematical accuracy, but it was the best that he, with the best assistance he could obtain, was able to form. He knew as every well how to describe it, without using a sentence that had the appearance of a paradox, and for want of knowing a better

better he must use it; he would say then "that it was a scale increasing in a decreasing proportion;" that was to say, the proportion of the increase was less, as the number of windows was greater. After a certain number the additional sum was less than the addition upon the smaller number.

Mr. *Huffey* doubted whether the scale was such as the Minister stated it, and quoted some parts of the scale to prove it.

The *Chancellor of the Exchequer* stated that these objections did not apply to the scale now proposed, but to the old per centage upon assessed taxes, which old per centage were now to be done away, and a new and consolidated scale adopted.

He then moved, that the motion for taking this subject into further consideration, be now withdrawn—which was put and carried.

On the question being put, That this report be recommended,

Mr. *Vanittart* said a few words.

Mr. *Dent* said, that with regard to the tax on Dogs, he did not think it would be of any effect unless it was raised.

The question was then put and carried; that the report of this proceeding be received the next day.—Carried.

Mr. *B. Edwards* adverted to the address of the House, to his Majesty, in April last, upon the subject of communicating the Resolutions of the House to the Houses of Assembly in the West Indies upon the Slave Trade: and of his Majesty's gracious answer. He observed that these communications were made to the Houses of Assembly, and they had returned their answers to the Secretary of State, but these answers could not appear before the House unless an order was made for that purpose. He therefore moved, That an humble Address be presented to his Majesty, praying that he will be graciously pleased to give directions—that there be laid before this House copies of such correspondence as may have passed between the Secretary of State for the Home Department and the Governors of the West India Islands, in pursuance of the Address of this House, and his Majesty's gracious communication relative to the Slave Trade, on the 5th of April last.—Carried.

Mr. *Secretary Dundas* observed, that there were before the House divers papers relative to the treatment of the French prisoners in this country; they were regularly before the House, because they were produced pursuant to its order. There were many other documents upon the same subject; but as they consisted of correspondence of a date posterior to the

the order of the House, they could not be regularly produced without the further order of the House. He should therefore move for their production, which he did, and they were immediately brought in by the proper officers, and laid upon the Table.

Mr. Secretary *Dundas* then said, he should move to-morrow that these papers be referred to a Committee, who should report upon them.

The order of the day on the second reading of the bill to amend the act of the 7th of James, was deferred to this day to-morrow. Adjourned.

HOUSE OF LORDS.

THURSDAY, *March 22.*

The Gentleman Usher of the Black Rod informed the House that John Lambert and James Perry had surrendered themselves, and were now in his custody. Being called to the Bar, the proceedings of the House regarding them were read by the Clerk. By these it appeared that Mr. Walter Probert had sworn that he had purchased the paper at the printing-house of Mr. John Lambert; and a clerk from the Stamp Office produced a Bond executed by John Lambert, therein described as printer, and by James Perry therein described as proprietor of the newspaper called the Morning Chronicle, for the due payment of the duties upon advertisements inserted in the said newspaper. Upon this evidence, the House came to the following resolution:—

‘Resolved, That the said paper produced and sworn to by the witness, at the bar, entitled the Morning Chronicle, Monday, March 19th, 1798, is a gross and scandalous libel upon this House, and a high breach of the privileges thereof.’

The Lord Chancellor informed the parties, that the witnesses who had deposed to the facts of their being the printer and proprietor were attending, if they desired to ask them any questions.

Mr. Perry and Mr. Lambert severally answered that they had no questions to ask. They were then severally asked what they had to say in their defence, but the particular article in the paper to which the resolution referred was not read. Mr. Lambert, for himself, expressed his sorrow that he had

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had unintentionally inserted the paragraph that had offended the House.

Mr. Perry, for himself, made his submission to the House. He said, he was sensible that it was no justification of a gross and scandalous libel that the article published in a newspaper was inserted without the knowledge of the proprietor, he being clearly liable in damage for all private wrong or injury which his paper might occasion; but he trusted that, as it is of the essence of a breach of privilege, which is in its nature and affront, that evil intention should be proved, when he declared his utter ignorance of the paragraph until complaint was justly made of it, he might hope for that clemency which was the characteristic of the dignified and moral justice of their Lordships.

They then were directed to withdraw.

A debate took place, during which time strangers were excluded.

Lord *Minto*, in a speech of considerable length, accused the Morning Chronicle of a systematic endeavour to undermine the Constitution of Great Britain, by its encomiums on the doctrines of anarchy and horror introduced into discussion by the Revolution of France; and he was proceeding to a review of its conduct from the commencement, to prove that even the war itself might in some degree be ascribed to the instrumentality of the Morning Chronicle, when

The Duke of Leeds called his Lordship to order, and said, that he conceived it to be totally out of all order to advert to any thing which was not the actual matter of complaint.

Lord *Minto* resumed his speech, and after shewing the pernicious tendency of the scandalous paragraph, concluded with moving as follows:

- "That John Lambert, having presumed to print and publish a libel on this House, in the Morning Chronicle of Monday, March 19, 1798, is guilty of a high breach of the privileges of this House.
- "That James Perry, having presumed to print and publish a libel on this House, in the Morning Chronicle, on Monday, March 19, 1798, is guilty of a high breach of the privileges of this House.
- "That the said John Lambert and James Perry do, for their said offence, pay a fine to his Majesty of fifty pounds each, and that they be committed prisoners to Newgate for the space of three months, and until they pay the said fine."

The Earl of Derby considered the punishment as too severe. Mr. Lambert, the Printer, has declared that he had unintentionally inserted the paragraph, and Mr. Perry, that he was entirely

entirely ignorant of it. He was perfectly convinced that he was so: and he said, he knew Mr. Perry and spoke of him in terms of personal regard. The Earl said, he had always heard Mr. Perry, in all companies and at all times, express the utmost reverence for the Constitution of the Kingdom; and he was sure he never employed his pen or his paper to undermine either its civil or religious establishments; that the Morning Chronicle was distinguished by its regard to the decencies of private life, by its disdain of all scandal on individuals, and those licentious personalities by which the peace of families was disturbed. He therefore thought that a more lenient correction for this single offence would be more becoming the dignity of that House.

The Duke of Bedford joined with the Earl of Derby in thinking the resolution too severe. He said, he also was personally acquainted with Mr. Perry, and he had ever found him inviolably attached to the genuine principles of the British Constitution. The noble Duke bore his high testimony to the decorum with which the Paper was uniformly conducted; and with respect to the charge of its favouring doctrines of anarchy, it was the constant, zealous, and active enemy to the violation of rational freedom, wherever the outrage might be committed. Accordingly, through the whole of the French Revolution, Mr. Perry's language had been discriminate, and his conduct uniform. He had applauded the first reforms, by which the condition of the People of France was to be improved; he had constantly spoken with horror of the massacres and violation of all principle, which had so frequently disgraced its progress, and in the very paper in which the offensive paragraph was inserted, the most marked indignation was expressed at the unprovoked aggression of the French on the People of Switzerland. The Duke concluded, after ordering the precedents of the commitment of Mr. William Woodfall in 1771, and of George Edmonds, to be read, (in both of which the punishment was one month's imprisonment and a fine of 100*l*.) with moving an amendment of one month's imprisonment instead of three.

Lord Sydney said, the Morning Chronicle was a scandalous paper, which he would not suffer to come into his house.

The Marquis of Lansdown said, that the matter was in his mind too trivial for their Lordships' notice. It was a paragraph of mere levity, and with some wit. He did not know Mr. Perry personally, but he had ever read his paper with satisfaction,

tisfaction, as one of the best written and the best conducted of the periodical prints; and he was convinced that there was no intention of degrading that House in the public opinion by the paragraph in question.

The *Lord Chancellor* said, that the paragraph was not entitled to the character of wit, or even of petulance: it was a paragraph of dull malignity. It was an attempt to see how much their Lordships would suffer, and was one of a series of attempts to undermine their authority with the public.

The *Duke of Norfolk* spoke in liberal terms of the paper, and questioned, whether the House had a right to impose a fine for contempt.

Lord Grenville concluded the debate with a few words in support of the original motion.

The House then divided on the Amendment,

Contents 11. *Not Contents* 69.

The original motion was then put and carried in the affirmative.

The following Peers voted in the Minority.

The Duke of Norfolk

The Earl of Thanet

Duke of Leeds

Earl of Besborough

Duke of Bedford

Earl of Tankerville

Marquis of Lansdown

Earl of Egmont

Earl of Derby

Lord Holland.

Earl of Suffolk

The House then ordered Mr. Perry and Mr. Lambert to be committed accordingly.

Bill of Fees presented to them.

MR. PERRY.

March 22, 1798.

Gentleman Usher, attachment fee	-	-	£. 5 0 0
Discharge	-	-	5 0 0
One day in custody	-	-	1 6 8
Yeoman Usher, attachment fee	-	-	2 0 0
Discharge	-	-	2 0 0
Clerk of Parliament's release	-	-	6 13 4
Clerk Assistant ditto	-	-	2 0 0
			<hr/>
			24 0 0
The same for Mr. Lambert	-	-	24 10 0
			<hr/>
			£. 48. 0 0
			They

They were conveyed to Newgate by two of the officers of the Gentleman Usher of the Black Rod, and the following is a copy of the commitment :

Die Jovis, 22 Martij, 1798.

Ordered, by the Lords Spiritual and Temporal in Parliament assembled; That John Lambert do for his said offence pay a fine to his Majesty of 50*l*. and that he be committed prisoner to Newgate, for the space of three months, and until he pay the said fine; and that the Gentleman Usher of the Black Rod attending this House, his deputy or deputies, do forthwith convey the body of the said John Lambert to the prison of Newgate, to be kept in safe custody for the space of three months, and until he pay the said fine.

GEORGE ROSE, Cler. Parliament.

*To Sir Francis Molyneux, Bart. Gentleman
Usher of the Black Rod, attending this
House, his deputy or deputies, and every
of them, and to the Keeper of Newgate,
his deputy or deputies, and every of them.*

(A Copy)

JOHN KIRBY, Keeper of Newgate.

(The same warrant for the commitment of Mr. Perry.)

DISMISSION OF MINISTERS.

The order of the day having been moved and read for the Lords to be summoned, to take into consideration the motion of which his Grace the Duke of Bedford had given notice.

The *Duke of Bedford* rose, and with great energy, and in some parts of his speech with uncommon warmth, spoke to the following effect.

It will not require much detail of facts, or a great deal of argument, to prove that, in the career which they had pursued, the present Ministers have been uniformly supported by your implicit confidence, and wholly uncontrouled by your interference; that they have been strengthened by every kind of concurrence which could give energy to their operations, and have never upon any one occasion been thwarted by an opposition on the part of this House, that could obstruct their progressive pursuit of the contradictory system upon which they acted, or have prevented its ultimate success. Whenever you have been called upon to inquire, not only into partial measures, but into the whole conduct of administration, you have uniformly refused that inquiry. They were left at liberty to follow the plan which they had embraced, and were furnished with the most ample means to carry it into execution. If then, ~~you~~ having been invested with the extraordinary powers that they possessed, and enjoying the unlimited confidence reposed in them by Parliament, from the commencement of the war to the

the present moment, in the course of what I shall state to your Lordships, I shall be able to shew that, notwithstanding all the confidence they enjoyed, notwithstanding all the means with which they were entrusted, much, if not the whole of that calamitous state to which this country is reduced, is owing to the misconduct, and to the incapacity of those by whom our affairs have been conducted. Your Lordships will feel yourselves compelled to agree with me, and to acknowledge that if I shall have established that, which puts it beyond all question, that by their conduct and its consequences they shall have shewn that no hopes can be entertained that we can be rescued from our difficulties, by the continuance of any efforts that they can attempt, and your Lordships will feel yourselves imperiously called upon to vote for the motion I shall have the honour to submit to you, from a conviction that the dismissal of his Majesty's present Ministers is the only remedy for our distress, that affords either hope or prospect of success.

I shall at present wholly abstain from troubling your Lordships with entering into a discussion of the origin and causes of the war. It will not, however, be impertinent or unreasonable again to remind you, that prior to the commencement of the war Ministers were charged by those who were friendly to peace, with pursuing that line of conduct, which infallibly led to hostilities, and that the war was the natural consequence of the policy upon which Ministers had long acted. My object now is to shew you that the only chance of safety is that I have already mentioned, viz. to remove the men to whom they are to be ascribed. I shall not say one word about criminal Ministers, because the critical and calamitous situation of the times renders such a measure a secondary consideration only, and because the subject will be better suited to a moment of calm and safety, when men shall be able to view their situation as it really is, and when the absence of danger will enable us more coolly to enter into the investigation of guilt.

With whatever sentiments Ministers may have been supposed to contemplate the prospect of a war, and whatever means they may have employed to prevent it, yet it will be recollected that the declaration of war on the part of the French, was a matter that excited their most lively joy. They could not conceal their satisfaction that the French seemed to have committed the first aggression, and furnished a pretext for war. The declaration of war was received with similar sentiments, and became a matter of general popularity. It was viewed not as a matter of melancholy and regret, but of triumph and exultation. They, however, who thought that greater exertions

tions and a different conduct ought to have been employed to prevent a rupture with France, lest no effort untried to put an end to the evils in which we had been involved, and as far as possible to retard their progress. Remonstrances were made against the measures which Ministers pursued. It was contended, that by a firm, a manly, and an open conduct, France might still be turned to peace, and that the ground of dispute might be removed. Parliament was called upon to declare that this country would not interfere in the internal affairs of France; and afterwards, when the warlike views of Ministers became more systematic and less disguised, Parliament was earnestly intreated to address his Majesty to enter into no treaties with foreign powers, which would form an argument against peace, and embarrass the attainment of that object. To these remonstrances no answers were given. Parliament was afterwards called upon to declare, that if Great Britain engaged in a war, it should be merely a defensive war, and avowedly entered upon for the sole purpose of protecting and fulfilling our treaties with our allies, and checking any views of aggrandizement, which the French might at that time have entertained at the expense of other powers. To this no answer was made, but that since we were embarked in the contest, that Great Britain could only be safe by weakening France, that it was necessary to go on, and that every exertion ought to be made to strengthen the country, and secure ultimate success. Again, to remove all misunderstanding of the objects and views entertained in the prosecution of the war, Parliament was called upon to say, that the war was not undertaken for the purposes of aggrandisement, but upon the most benevolent principles of general interest, that as the French were then defeated and reduced within their own territories, this was not the moment to come forward with offers of peace. To this it was answered, in the elation of prosperity, that being embarked in the contest, we ought to persevere till the existing Government of France was replaced by a better system, and that the moment of success was not the moment to sue for peace. Such was the language with which every attempt to oppose the progress of the war was resisted. Ministers indeed had not then developed all their schemes, and avowed all their objects. They were not then firmly seated on their lofty war-horse, nor were they sanguine enough to flatter themselves, that they might confide in the progress of their career of success. They did not wish to arm the country with too extensive a plan of warfare, lest they should be diverted from its prosecution, and inclined to peace. They wished to lead us on gradually, till it was impossible to retreat; every effort to prevent the progress of the war-

like system was ineffectual. At this period the debt incurred was only about seven millions, and had added an annual charge upon the country of no more than 250,000l.

The next Session of Parliament opened with a speech from the Throne, in which Ministers (for I take the Speech from the Throne as the Speech of the Minister) began to express a different language. We were then told that we were engaged in the contest not merely for the defence of our allies and for repelling aggression, but we were embarked in a contest to resist the progress of anarchy, impiety, and irreligion; that it was impossible to talk of peace till the monarchy of France was restored. Now it was that the schemes of Ministers were developed, now it was that the most absurd plans were devised, and the most frantic projects were conceived; and, in the pride of a momentary success, Ministers, hoped to rival the proudest of their predecessors in the proudest days that England had ever seen; miserable men! they imagined that they would erect temples and trophies upon the mutilated carcasses of their enemies. In these wild and and visionary expectations, however, they were disappointed. But in the midst of this destructive career, Ministers were supported by this House. In their exterminating projects they were supported by your confidence. Inflamed with indignation at the atrocities of the enemy, you too became unjust, and, as a learned Prelate* has recently and properly observed, assumed the right of that vengeance which belongeth not to man, but to the Deity alone. A few there were indeed who were not misled by these frantic schemes, nor blinded by this mistaken zeal. Unawed by clamour, undaunted by prejudice, and undisturbed by calumny, at the same time as zealous and ardent friends of their country as the proudest boaster, they opposed the presumptuous boasts of the Minister. They tried to induce Parliament to employ a milder language, to lay aside that arrogant tone which could only serve to irritate and to inflame animosity, and to declare that no particular form of Government in France would be considered as an obstacle to peace. It was contended that, if the views of Ministers were directed to the conquest of France, they were wild, extravagant, and chimerical; and, if intended to sow internal dissension, they only strengthened the hands, and confirmed the power of the existing rulers. All these exertions, however, were in vain. It was soon found that new treaties had been formed to extend the system of war, and to embarrass the attainment of peace. At the close of this session, the same efforts which had been employed to put an end to the contest were renewed; resolutions

* The Bishop of Llandaff.

tions were proposed in another House to ascertain precisely what was the real object for which the war was pursued. Ministers however, contended that it was idle, and that it was impolitic to state their reasons at such a moment, and asked triumphantly, whether we were to treat in the hour of success. Jacobinism must be destroyed, they exclaimed. Never can we treat with Jacobins, with those men who have embrued their hands in the blood of their Sovereign; with those men who called our King a tyrant, and our Parliament usurpers! Let us make one effort now to destroy this monster, and if we fail, let us at least die with arms in our hands. [Lord Grenville exclaimed, *hear! hear!*] Such was the proud and boastful language then employed by Ministers, and I am glad to find that the noble Secretary seems to remember what on many occasions he and his colleagues appeared to have forgotten. In the hour of prosperity indeed their language was lofty, and their tone determined. "Let us die with arms in our hands!" was the boastful cry of Ministers. But did they persevere in this tone and this temper? Did they discover a firmness in adversity corresponding to their presumption in success? Look at their conduct the next year, and see how these pretensions were justified. The Session closed, and if peace had then been obtained, we should not have experienced the financial difficulties under which we have since laboured, nor have to dread those with which we are threatened. The sum then added to the capital of our debt was about twenty-two millions, and the annual amount of taxes one million.

Next session the sentiments of the people had undergone a considerable change. The prospects held out to them had been disappointed. The appearance of a war of extermination now threatened them, when it was doubtful which party would be its victim. When the French were to be the objects of it, the prospect was pleasing, and they were eager for its attainment; but its aspect was changed when it turned against ourselves. Not merely out of doors, but in Parliament itself this change had taken place. It was necessary therefore to use some management with those with whom the war was by no means so popular. The distraction of the French Republic, the disorder and approaching ruin of her finances, the cause of religion and social order were insisted upon. Still, however, the desire of peace gained ground. In the House of Commons, those who had uniformly exerted themselves for the restoration of peace, made new attempts to pave the way for that object. Upon this occasion Ministers moved an amendment, in which it was said that we were "determined to persevere in the contest till such a governmen

was established in France as might be able to maintain the accustomed relations of peace and amity." Not a word was said to explain when such a government was to be expected, or in what it would be allowed to consist. It was contended therefore by those who were friendly to peace, that it was necessary to abandon that system which led to extermination, and to treat at a time when, if unsuccessful, we were able to continue the war with vigour. Will you treat under the difficulties you now suffer? it was said. Will you throw this country at the feet of France, and recognize French superiority?—No, it was replied, we will not recognize the superiority of France, but we will prove that we distrust the capacity of those who have involved us in our present difficulties. Will you treat with the republic of France? (was it contended), and acknowledge that your King and Parliament are unfit to govern you? Will you agree to the surrender of those places which it has ever been considered impossible for the French to hold with safety to this country. Will you give up your West India Islands, and surrender your commercial advantages? We were told too, that the finances of France were exhausted, that it was impossible she could maintain the contest, and that our perseverance would be ultimately successful. How false these financial speculations were, we have since experienced. Amidst all these topics, however, the lofty tone of Ministers was softened. They no longer said they were fighting to restore the ancient government of France. Where then were those supporters of the declaration that had been published at Toulon, by a noble lord (Lord Hood), whom he then saw in his place? Ministers clearly were afraid their places might be endangered, if they persisted in asserting the unqualified objections to the government of France which they had formerly urged. Their lofty spirit sunk as their difficulties increased; their concessions advanced in proportion as their embarrassments thickened; they were willing to concede, but their concession was of no advantage to their country. Their original tone was too high; and in their gradually descending scale they still were too high for the occasion on which concession was required; they encouraged the demands of the enemy, because the enemy knew that ministers would ultimately accede to their demand. In this way concession only produced disgrace, without promoting conciliation.

In the beginning of next session, we were told in the speech from the throne, that the internal situation of France had at last come to a crisis which might lead to events which none could yet foresee, and that his Majesty, in case the result
 should

should be favourable, would meet overtures of peace from France. Parliament was then desired to adopt a resolution, that the government of France was capable of maintaining the accustomed relations of peace and amity; but ministers refused to do so, because, as they said, it would be humiliating to acknowledge the French Republic. Those who had uniformly promoted pacific measures, now urged the propriety of making an effort without delay for the conclusion of peace. He had himself moved an amendment to the Address at that time; and all he said was, that the prophecies of ministers had constantly failed, and the successes of the enemy had become still more frequent. The event proved whether he was then right or wrong. He failed, however, in his endeavour to induce Parliament to declare that the French government was capable of being treated with; and to his great surprize in six weeks after, the expected crisis in the French affairs so favourable to the negociation arrived, and Parliament made a declaration to that effect. Although the opponents of ministers had no objection to that declaration, yet they could not help suspecting that it was only for the purpose of conceding a little more. Ministers renewed their former objections, and the assignats of France afforded ample matter of speculation on the ruin of the finances. Ministers, however, did not wait long for that trial of the new order of things in France, which at first they had deemed so necessary. I do not know that those who had pressed the necessity of peace could claim any merit for the speedy resolution which ministers announced of opening the way for negociation. Many have doubted the propriety of the steps they took for the purpose, and many have suspected that they were not sincere. It was thought proper to make some advances to negociation by a note from Mr. Wickham to Barthelemi, the French envoy at Basle. I have ever thought that this was the course the least likely to be attended with success which could have been employed. This opinion I have heard avowed in conversation by men of all parties, although I could not prevail upon them to express the same sentiments in this House. If they were really sincere, it surely would have been prudent in those who for years had employed the most offensive language against the French, to have been particularly careful not to disoblige by the very mode which they pretended to follow for conciliation. The fate of that application is well known, and its true object was strongly suspected to have been merely to satisfy the prevailing inclination for peace. Look at the circumstances and conduct of the first negociation of Lord Malmesbury. I shall not go at length

length into a topic so often discussed. If Ministers, contrary to every appearance, were sincere upon that occasion, must they not have been the most incapable administration that ever existed, to adopt the course which they pursued. There was nothing conciliating in its beginning or in its progress; every ground of suspicion was given to the enemy against the sincerity of Ministers. A Minister was sent with power to conclude and not to treat, and to treat for the Emperor without authority. Upon this subject it has been vainly attempted to obtain those documents and papers which develop the true state of some very important points of negotiation. Without these papers I am not able to form a correct opinion as to the reason of insisting upon the restoration of Belgium to the Emperor, but as these documents were refused, I am entitled to conclude that they contain nothing to justify Ministers in the demand of Belgium as a *sine qua non*; that Ministers had no authority from the Emperor to urge such a condition. Notwithstanding the original pretences from which the war was said to be undertaken, to give protection to the oppressed, to check the career of mad ambition, and to defend property, what were the terms on which we proposed to conclude a peace? All the great powers were to be benefitted at the expense of the smaller. While Poland was allowed to be divided without a remonstrance, new schemes of partition were devised by those who pretended to have interfered for the protection of the weak, and for the interest of all. France was to have retained some of her conquests. The Emperor was to have received compensations for his losses, and the Dutch settlements in the East were to be the portion of Great Britain. Upon this occasion Belgium, as a *sine qua non*, was not to remain with France. Upon this point, Lord Malmesbury's first negotiation was broken off; while many thought that considering the importance of peace to this country Ministers ought to have made that cession as the means of obtaining peace. How much more necessary would it have appeared to give up Belgium, had our financial situation then been ascertained; had it been known that the Bank was in danger of stopping payment, and become bankrupt (for such I will ever contend to have been the fact); and what can be thought of those, who, warned of the danger, still persevered in the measures by which its solidity was shaken? The *sine qua non* of Belgium, however, was insisted upon, and after many millions were squandered in support of our pretensions, it was at last found necessary that they should be dropped. If I could believe that Ministers were sincere in their two first overtures, I might

I might give them credit for sincerity in the third ; but if sincere in that their next attempt, surely it was not greatly in the spirit of conciliation, or with probability of success, that the Noble Lord who had failed in the first mission should be again chosen as the negociator ; and it has since been evident, that there was no reason for obstinacy in respect to Belgium, as the Emperor had himself in his treaty of peace agreed to let Belgium remain in their hands. I do not question the talents of the Noble Lord, especially after he had been excepted to by the French Directory. I respect them highly ; but I cannot help thinking that the circumstances of his former negotiation placed him in a situation of prejudice and difficulty which no other person would have had to encounter. Without going into the circumstances of this negotiation, I shall only remind you of the efforts which were made last session to prevail upon you to resort in order to attain that peace which the present Ministers had in vain endeavoured to obtain. The haughty demeanour which they had observed, the irritating conduct they had pursued, disqualified them for acting the part of conciliation with any credit for sincerity, or any chance of success. The insolence which they had displayed in prosperity was not followed by firmness in adversity ; and their concessions, though never calculated to procure peace, betrayed them to the enemy as weak and wavering statesmen, from whom every concession might ultimately be obtained. When such was the character of Ministers, and such the light in which they were viewed by the enemy, how could it be expected that peace would be the result of their hollow negotiations ?

At the end of five years of war then let me call the attention of the House to the situation in which we stood at the commencement of the contest, and that which we now hold. The situation of the country at this time was not alone that of being deserted by every ally, and maintaining the contest singly ; but that of being reduced to a state of defence, without any prospect of success, or a hope of a termination to the war. The country was also reduced in finance, and obliged to pay interest for a debt of about 160 millions, the most enormous that ever was incurred in any other war. This was the sum which it was thought necessary to expend for the destruction of Jacobins : and, after all, the Jacobin rulers existed in France, and possessed more honour than ever they did. Notwithstanding this debt, a fresh sum was to be borrowed, and an additional charge of nine millions and an half annually was to be laid on the country ; a sum greater than what the whole

whole interest of the debt amounted to at the end of the American war. And yet this nine millions and a half was laid on in the course of five years. Could any person think of that Minister who thus charged the country with more than all his predecessors had done, without feeling that some other Minister ought to be put in his place? If it was contended that Ministers were free from any blame, it surely could not be denied that every thing of which they had the management was miserably conducted. We began the war in conjunction with the greatest confederacy ever known in Europe, and we are now without a single ally but Portugal! It was then said what would be our situation, obliged to wage war alone with France, at peace with the other nations of Europe? How favourable a situation at that time, my Lords, to that in which we now stand? We should have entered upon the contest with ample resources, and in the worst event, we should have seen at some years distance that calamity we now experience. Notwithstanding all the expence which the war has heaped upon us, we see not a single effort exerted in vigorous attack. We are reduced to a state of inert self-defence. What hope of success have we in protracted war? What prospect have we of its termination? What prospect have we to cheer our gloom or to compensate for our sacrifices? Our exertions, my Lords, under the auspices of the present Ministers, are as hopeless as they are incalculable. I know, my Lords, that the subject of finance is irksome to you. But let me intreat you to consider the magnitude of the debt under which this country now labours; the annual charge entailed upon this country, in the course of a few years war, is equal to the amount of the debt at the time when the present Ministers came into power. Without mentioning the different corps of supplementary cavalry, &c. which had been raised at a great expence to the country, the permanent debt of the nation was doubled in the short space of five years. Can you think, then, that no blame can attach to the men who have squandered so profusely the resources of the nation without fruit or advantage? Do you think that the review of what we were and what we are now, what we have spent and what we have gained, or rather lost, affords no proof of the incapacity of the present Ministers; and that under their auspices you can have any hope that your affairs will be conducted with ability and success?

While we contemplate from without a situation of affairs so afflicting, there is nothing in our internal state to afford us any consolation. While our burdens have increased our privileges have been abridged. We are now living under laws which

which are hostile and repugnant to the best principles which our ancestors laboured to establish. But there is another topic which this review suggests, on which I know not how to speak. Consider, my Lords, what I tremble to speak of, and yet I am compelled to mention it. Consider what I allude to with the deepest regret, but with the utmost indignation. Consider the situation of Ireland at the present moment. It has been said that you ought not to interfere in the affairs of Ireland. But do not the Ministers of this country interfere in the affairs of Ireland? Do not the Ministers of this country, by the system which they pursue, alienate from you the affections of the sister kingdom. My Lords, were I to enter into a detail of the atrocities which have been committed in Ireland, the picture would appal the stoutest heart. It could be proved that the most shocking cruelties have been perpetrated; but indeed what could be expected if men, kept in strict discipline, were all at once allowed to give loose to their fury and their passions. To the military, then, I do not impute the blame, but to those by whom their excesses have been permitted and encouraged. Certain it is, that two distinct and opposite orders have been issued for regulating the conduct of the military; one by which they were allowed to act without the authority of the civil power, and not under the orders of magistracy; and the other by which they were restrained from acting without that authority. It is known that regiments have published declarations in which they state that certain persons shall find, before they are delivered into the hands of the civil power, that such a regiment is not to be trifled with. These insulting proceedings too are sanctioned by the countenance of Government. What then must be the fatal consequences of these measures, if not checked by the introduction of a more conciliating system; and what prospect is there that conciliation will ever be employed with success by men who have loosened by their misconduct the bonds which unite Great Britain and the sister kingdom.

I think that I have said enough to shew that you are now called upon to address his Majesty for the dismissal of his present Ministers, I am curious to hear what arguments will be employed to prove that the present Ministers are, as I was told with peculiar arrogance when I last gave notice of the day on which I should bring forward my motion, the men in the kingdom the best qualified for the offices they hold. They have been often warned of the mischiefs with which their measures were pregnant. They have laughed at all advice, and have persevered in their own system with an obstinacy equalled

only by the calamities which it has produced. But it may be said their intention was good. Admitting that this were the case, how has it happened that every act they have performed has tended not to raise and to exalt, but to disgrace, and to degrade the country. Perhaps too it may be contended that they are the only men qualified for the stations they occupy. They may arrogantly maintain that they are the only men whose loyalty and integrity are beyond doubt. I will be bold to assert, however, that in this and the other House of Parliament there is a sufficient number of men of great talents, fair character, and tried loyalty, to form a Cabinet capable of conducting the affairs of this country with ability and success. Will Ministers deny this to be the case? Perhaps, however, the arrogant language which some of his Majesty's Ministers have held may be supposed to allude to those with whom I act; for I scarcely think that I shall be considered as a candidate for office, or as holding myself out as qualified for high public situations. Those persons, then, with whom it is my honour and pride to act, are they against whom those suspicions are insinuated? I ask, then, what is in their conduct to justify the charge, or to support so arrogant a pretension? Who is the man who may be considered a candidate for office? How is such man to be described? Is it not the man of servile and pliant disposition who will descend to every mean artifice to gain power, who courts majorities—men bold and presumptuous in success, weak and submissive in danger? Have we deserted the principles we have professed; have we, by every fawning art, courted the favour of majorities; have we abandoned the uniform line of conduct upon which we have acted? Let the world judge, then, who are the candidates for office and the worshippers of power. If it be ground of apprehension and of jealousy that we have never abandoned our principles and belied our professions, then we may have justly incurred such suspicion. We have said, and still maintain, that a reform in Parliament is necessary to infuse new vigour into the Constitution, to controul the overgrown influence of the Crown, to check the power of the aristocracy, to check that enormous influence which the Minister has derived by the creation of Peers, when Peers are sent into this House by dozens—

[The Duke of Bedford was called to order by Lord *Fauconberg*, who said, he never had witnessed in that House the sort of language his Grace was holding on the Members of it, which surely was contrary to all order, and highly irregular. The *Duke of Bedford* said, that if it was out of order, the noble Lord, instead of interrupting him, should have moved to have

have taken down his words, and submitted them to the House as a question of order, but he could not consent to be called to order by a noble Lord who was himself out of order.]

The *Duke of Bedford* proceeded—I was stating, my Lords, that I wished for a reform in Parliament to check the influence of the Crown, and the power of aristocracy. I say nothing, my Lords, injurious to the character of those who are elevated to the Peerage. They are men of talents, of consideration, and property; but if all the men of this description, or rather all the men of great landed property, all the most respectable country gentlemen, men of great weight and consideration are selected by the Minister out of the House of Commons, and sent up to this House the independence of the House of Commons must ultimately be affected. If no country gentlemen of wealth and consideration remain, Ministers will naturally acquire the command of every election, especially supported as they are by all the influence which the overgrown revenue of this country must every where throw into their hands. I confess, my Lords, therefore, that seeing these things, I am an advocate for reform, and if that be the objection which is held out against those with whom I have the honour to act, it is an objection from which we shall never shrink.

This subject leads me to another, upon which I can only hope, from your indulgence, to be heard for a few minutes. When I had the honour to give notice of this motion the second time, the noble Secretary of State remarked, that the importance in which it seemed to be held by myself, justified the House in rejecting it when first announced, and was pleased likewise to make some remarks upon my absenting myself from the House for six weeks. With regard to the motion, I am satisfied from the temper of the House in rejecting the motion which I had made for delaying the proposed adjournment, that there was very little chance of its success, and in making it at all, I rather complied with the wish of some of my friends, than acted on my own conviction of the immediate success or effect of such a motion. I stated last year that I meant to absent myself, as I found my efforts for the country useless, and it certainly was not worth my while to bring it forward merely for the purpose of making a speech. As to my absence from the House, I am still of opinion that my attendance here can be of very little advantage; but whenever my exertions are likely to be of any service, they shall be renewed. Upon the Assessed Tax Bill I came forward and stated my objections, but without success. When the expedients to which the Minister is driven for raising money prove that we are near the end of

our resources, surely you cannot be so improvident as to commit their application to the same hands by which they have been so uselessly squandered.

After the severe punishment which has this night been inflicted upon the Proprietor and Printer of a newspaper, it may not be unfair to complain of the foul calumnies which are heaped upon me and my friends by the underlings, or, I know not how to call them, of Government, and upon every man who opposes the measures of Administration. The basest aspersions, and the most scandalous insinuations are lavished upon all who venture to dissent from the measures or opinion of Ministers. Such indeed is the quantity of this abuse, that it seems as if those who employ it considered themselves too scantily paid by their superiors, and endeavoured to make up for it by currying favour with their readers by the grossness of their falsehoods and the personal poignancy of their scurrilities. We have been charged with inflaming the minds of the people by our speeches against the Government, and with being hostile to the true principles of the Constitution. It may be said that we ought not to regard these calumnies, and ought to persevere in doing our duty. It becomes a question, however, what is our duty? Such despicable calumnies certainly ought to be treated with contempt. If, however, instead of resisting the encroachments of the Minister, our attendance has no other effect but to sanction his abuses, and teach the people to believe that they have no alternative but to chuse between the present Ministers and those with whom I act, I should consider that attendance as not only nugatory but mischievous. If such, however, be the alternative which Ministers chuse to hold out, it becomes our duty to prove that the calumny is ill-founded. By withdrawing the attention of the country from us, and fixing it upon Ministers, we are desirous that they should reflect that no evil can be greater than the continuance of the present Ministers in office. Then they will find men able to conduct their affairs, men fitted to conciliate Ireland, to obtain peace, men in whom the French will have no title to think concession is weakness. When we hold a reform in Parliament to be necessary, we know that this measure is very unfavourably received by the majority. We are convinced, however, that without this the country can never be placed upon a good footing. We stand pledged to take no share in any administration, in which this is not a leading object. In saying this, however, I am ready to confess that there are some measures which appear to me to be more immediately necessary than parliamentary reform—a peace with France, the conciliation of Ireland with the question of Catholic emancipation, and
parliamentary.

parliamentary reform in that country. While I admit this, however, I hold a parliamentary reform essential to the salvation of the state. With these sentiments I declare that I shall never make one of any administration with which parliamentary reform is not a leading object. This I say merely in answer to the charge of being a candidate for office, for I should be ashamed to talk of myself as fit for any office in any other view. Upon this subject I likewise declare that the specific plan of parliamentary reform proposed last year in another place* has my concurrence. I will say farther, that without a peace with France, without conciliation with Ireland, parliamentary reform could be of no advantage to the country; while the latter is necessary to secure and to improve the benefits of the former. There may be men of talents and integrity perfectly well qualified for the first offices of the state who would not consider parliamentary reform as a necessary ingredient in their system. Such men I should congratulate upon their boldness in venturing to undertake the conduct of public affairs upon such terms. So long, however, as they acted for the public advantage, they should have my support, though I should reserve to myself the right of bringing forward the question of parliamentary reform whenever the proper moment arrived.

But the calumniators to which I have alluded, not satisfied with these charges, have also dared to insinuate that I am not averse to the success of the French in their designs against this country. Much as I despise the authors of these attacks I think it necessary to repel calumnies so gross. I cannot help considering it as a disadvantage to this country to hold out to the enemy that on landing here they would find supporters. Yet such are the falsehoods which these calumniators assert, such are the means by which they encourage the French to make the attempt. After they have by their own lies induced the enemy to judge unfavourably of the temper of many people here, they turn round and impute the blame of encouragement to those against whom they forge the original calumny, and ascribe to us those impressions of the enemy which they have occasioned. But in case of invasion, who would be the men from whom the Directory might flatter themselves with assistance? Would it not be from those mean sycophants of power who readily and servilely follow every change, who have alternately been the creatures of every one in authority, and whose loyalty

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† By Mr. Grey.

Is the blind instinct that crouches to the rod,
And licks the foot that treads it in the dust!

Every man in the country must know that if the French were to succeed we should be the most degraded and absolute slaves that ever existed. No man can believe that those who oppose Administration could for a moment abet the designs of an invading enemy. What then can we think of Ministers, when we see them encouraging these base calumnies? What shall we think, when we see them holding out a person whom no man could suspect of disloyalty to his Sovereign, or treachery to his country, as unfit to be trusted with arms for their defence. Of this subject, however, it would be irregular to say more on the present occasion, as it would more naturally form a separate consideration. Yet such calumnies as this did the creatures of Ministers industriously propagate, and I mention them only to shew that no man can take any share in opposition to the measures of Administration, without being in this manner stigmatized. For my own part, though I never shall contribute to preserve his Majesty's present Ministers in office, I will exert every effort in repelling invasion from our coasts. I shall wait only my Sovereign's command to take arms to defend my country, anxious to mingle, placed in the foremost ranks, in the post of danger, and in the hottest of the battle. Though I conceive there can be no more decided enemy to his king and country than the present Minister, I should suspend all difference of opinion till the hostile attack was repelled. If I return safe, said his Grace, I should return with the same abhorrence of his principles and detestation of his conduct, and vow eternal enmity to his system. If ever I contract any alliance with any Administration upon any other basis but that which I have described; or join any set of men upon public principles different from those I have professed—may the bitterest execration of mankind be my portion, the just indignation of my country pursue me, and may my Creator pour down his curses on my apostate head!

As the Duke was much exhausted with speaking so long, and the Address was extremely copious, his reading it was dispensed with, and it was read by the Lord Chancellor, and afterwards by the Clerk of the House.

The Address was as follows:—

That

That an humble Address be presented to his Majesty, most humbly to represent, that, from the commencement of the war, to the present moment, his Majesty's Ministers have had all the advantages that could be derived from the entire confidence and support of Parliament;—that this confidence and support have given them the unlimited command and disposal of the power and revenue of these kingdoms;—that profusely furnished with means to obtain success, the Councils which have had the direction of this power, and the application of these resources, have been attended with no effect but to exalt France to her present formidable greatness, and in the same proportion to impair the relative situation of Great Britain, to expose her, with reduced strength and diminished resources, to all those dangers which it was alledged could be averted only by an early and successful combination to resist the principles, as well as the power, of the French Government; and after an unavailing expence of blood and treasure, to compel his Majesty's Ministers to open a negociation for Peace by a total dereliction of all the principles on which the War was said to be unavoidable, and by submitting to abandon those safeguards and defences which, in the early periods of hostilities, were insisted on as absolutely indispensable to the security of these kingdoms.

That without looking back to the causes of war, or inquiring whether it might, or might not, have been avoided, charges which may hereafter be brought against those persons who originally advised his Majesty not to acknowledge the Republic of France, nor to listen to any terms of accommodation, we think it our duty humbly to lay before his Majesty the situation in which we are now placed.

We are awed by the result of the war itself, and astonished at the conclusion drawn from it by his Majesty's Ministers, who with all the means of vigorous attack have reduced us to a state of precarious defence, yet still have the confidence to assert, that in the same Councils, which have proved so incompetent in prosperity to direct with advantage the affairs of the nation, the best means are to be found of relief and security in our present difficulty and distress, and that we are still to look to them alone for the attainment of a safe and honourable Peace.

That this House and every Member of it, is ready to provide for a vigorous defence of the country, and will not shrink from any personal difficulty or danger that may attend the performance of this duty—that whatever differences may exist with regard to the principles and policy of our internal Government, we are determined and unanimous in our resolution to resist all foreign interference. But instructed as we are by a long series of events, and corrected by experience, we are bound by our duty, and compelled

pressed by necessity, to submit to his Majesty our humble opinion, that the situation of the country is too critical, and the dangers that surround it are too serious to admit of any further trial of the same Councils which have constantly failed, or of the same persons for whose continuance in office, notwithstanding the heavy and unanswered charges which have been brought against them, even themselves have nothing to plead but a feeble unavailing rectitude of intention, constantly overpowered by the superior policy and vigour of the enemy, or a pretended apprehension equally false and malignant of the designs and principles of those whom his Majesty might appoint to succeed them in the Administration of public affairs: as if in the present Cabinet were to be found the only efficient persons whose loyalty and attachment to the Constitution were free from all suspicion and doubt.

That, lamenting as we do, the failure of the late Negotiations for Peace, we beseech his Majesty seriously to reflect, whether, when conducted by his present Ministers, there could be any reasonable hope of their success. We have not forgotten their haughty and supercilious rejection of all offers of accommodation previous to the commencement of hostilities, and we too well remember the terms of inveterate and irreconcilable enmity on which the contest was placed at the outset, and on which it has ever since been conducted, to hope for any conciliatory disposition between the enemy and the original advisers of the war—we cannot be surprised that any overture which may now be made by his Majesty's Ministers, after having wilfully neglected or insolently refused every favourable opportunity of Negotiation, should be received as an acknowledgment of weakness and distress, rather than as a proof of a sincere disposition to Peace.

Further to represent to his Majesty, that the situation of the Country is in all respects pregnant with dangers unknown at any former period, our domestic distress is great and is hourly increasing; the principles of our free Constitution have been violated, and some of the most essential securities of our liberties destroyed; the connexion with our sister Kingdom is threatened with dissolution, and all the foundations of our importance and power in Europe are rendered precarious and uncertain. To extricate us from such difficulties requires much fortitude and wisdom; for these qualities we cannot look to his Majesty's present advisers; under them we cannot hope for a successful prosecution of the war, still less for the conclusion of a secure and equitable peace.

We, therefore, submit this our humble representation to his Majesty, trusting that his Majesty will see, as we do, the urgent and indispensable necessity of employing other persons, and of adopting other Councils.

Lord

Lord Boringdon said, that the proposition which had been just brought forward by the noble Duke was of a most plain and simple nature, at the same time that he thought it of the utmost importance, for upon their Lordships rejection or adoption of it depended in his mind the independence of the country, and the existence of the constitution. He thought therefore, that no great degree of apology could be required from him for requesting the attention of the House, and for taking the earliest opportunity of entering his protest against the adoption of a measure which appeared pregnant with such deep and serious calamity. He had no intention of entering into all the various topics which had been brought forward in the speech of the noble Duke. There were some however which it would be impossible for him altogether to pass over in silence. It might not be unworthy of remark, that the noble Duke throughout his observations upon the present situation of this country, had wholly abstained from speaking of it as with respect to the other powers of Europe; he had left their Lordships wholly in the dark as to the state of their prosperity and vigour; he had made no comparison between them and us, and might therefore be fairly considered as having given the House a very incomplete and inadequate idea of the real situation of this country, estimated as that situation always had been, and always in reason must be, by the consideration of its relation to the other powers of Europe. He said, it was not to be supposed that the omission, of which he complained, was altogether the effect of inadvertence. It was impossible for their Lordships not to know what must have been the impression arising out of such a discussion. It was impossible for the House to be ignorant that such a disquisition must have had the infallible effect of raising in their minds an honest pride at the superiority of our own situation, at the unrivalled blessings that we enjoyed, and at the dignified station which we held in the eyes of all those who looked with horror to the dominion of foreign tyranny; and to whom, Religion, Liberty, and Law were still objects of veneration and love. Had the noble Duke stated the situation of the Batavian Republic, of the Spanish Monarchy, or of the Neutral Maritime Powers, or had he talked of the tranquility of Italy or Switzerland, or had he expatiated on the happiness enjoyed even in the French Republic, it was impossible for him not to have known, that adverting to such topics would have had the effect of raising

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the general opinion in which the House and the public held those Ministers, who, amid such a general wreck of Empires, had by their talents been able to preserve to this state a degree of vigour and prosperity, which in no former period had ever been exceeded. If such a sum as 164 millions had been added to the public debt, together with all those other calamities which had been so eloquently, and he might add so carefully, enumerated by the Noble Duke during a period of general tranquillity, in such case he should have considered the Ministers, under whose reign it had happened, not only weak and wicked, but the system pursued by them radically bad; but the contrary was the fact; that debt, and those calamities, light as they were when balanced with those experienced by other countries, had been the natural, the inevitable consequences of a war which had desolated the rest of Europe. The noble Duke had professed in the beginning of his speech his intention of avoiding the consideration of the object of the war, yet he could not forbear insinuating that we were the aggressors; but he was persuaded, whoever would refer to a publication which had reached us from the other side of the Atlantic, and was now, he was happy to find, in general circulation, would be fully convinced of the injustice of the assertion. The arguments contained in it were such as must remove the doubts of every person who would consider them*. The noble Duke though he had not positively made the assertion, yet had pretty clearly insinuated that the restoration of monarchy in France was the object which England had in the war. This idea had never been brought forward in that House without meeting with an instant contradiction, and he trusted it never would be; it was an object he thought no less contradictory to the general and implied law of nations, than it was abhorrent from the principles and feelings of the British nation; the insinuation of it therefore was eminently calculated to exasperate the French against this country, and also to mislead and irritate the people of England. He would not deny that the restoration of monarchy in France might at one time have been considered as a means of peace, though he would ever deny that it had ever been considered as the end of war. He said, that in considering the restoration of monarchy in France, as a possible means of peace, and in taking advantage of the power of the royalist party we had acted according to just and
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* The publication alluded to is Mr. Harper's American Pamphlet,

sound policy at the time, and according to the general practice of civilized nations at war. Look to almost all the wars we had seen in Europe during the course of the present century; had not almost in every one of them the principle of a foreign nation at war taking advantage of opposite opinions and parties been acted upon and acknowledged? Did Louis the 14th on the one hand, and England and Austria on the other, take no pains to influence the minds of the Spaniards, and to secure their co-operation in the war which is commonly called the succession war? Did not the same principle occur again as with regard to the powers which respectively supported the interests of Charles VII. and Francis I. as Emperor of Germany? Were the repeated succours afforded by France to James II. and his successors against this country, ever considered as contrary to the law of nations? Be. however, all this as it might, he had very high authority for saying that the restoration of monarchy in France was not the object which England had in the war; he alluded to a no less authority than Tallien, who at the time that he enjoyed the highest consideration in France, and when he was actually invested with an important commission in that country, addressed a public paper to the French nation, telling them "that it was against France and not against their Republic that England was fighting, and that if France was to declare for a monarchy to-morrow, England would support the Republic." This was plain and intelligible language, and could be supposed to mean nothing more or less than that it is not for or against this or that form of government in France that England will fight, but that it is against her gigantic and ambitious projects (under whatever form of government they may be attempted) that England ever will oppose herself. He trusted Mr. Tallien was right, and that England would ever resist to the utmost of her power, that inordinate system of dominion which had every where established itself on the nefarious and almost undisguised abandonment of every principle which had hitherto been supposed to bind the actions of states or individuals. Upon another subject of the Noble Duke's speech, namely the situation of Ireland, he was sorry to observe it had been adverted to, without that strict degree of delicacy which the subject seemed to have demanded. He would ask the noble Duke if he really believed any system of conciliation would produce the effect of tranquilizing Ireland? Could it produce such an effect in men, who had avowed their

determination to hear of nothing but what came from themselves? Sure he was no man could lay his hand on his heart and say, any conciliation to such men would be attended with success. The noble Duke had used the strong expression of the numberless atrocities committed by the military in Ireland; for his part, he was much surprized at the assent with which accounts of such atrocities were received in this country. A noble Earl, (whom he was sorry not to see in his place) (the Earl of Moira) had a few months ago favoured their Lordships with a long speech upon this subject; the House must have been then aware how assiduous the noble Earl must have been in collecting the instances which he at that time brought forward; but notwithstanding his assiduity it had since turned out that he had been extremely mistaken in some of the principal cases which he had submitted to the House. With regard to conciliation, itself, no body could be more friendly to it than he was; but he thought that if the Irish legislature were now to adopt the two measures which were commonly comprehended under the term conciliation, that no possible good could result from it.

With respect to the charge of Ministers wishing to despoilate the lesser Powers of Europe, to aggrandize the greater, it was unfounded; neither Spain nor Holland came under that description. But see what transpired in the intercourse between Lord Malmesbury and De la Croix. The proposal for sacrificing the Ecclesiastical States of the empire, on an equivalent for Belgium, came avowedly from the latter. How then could such a charge apply to ministers?

After three months notice, had the noble Duke proposed to the House to address his Majesty to remove from his councils those who at present presided over them; in doing this he called upon their Lordships to obliterate from their memories the recollection of all the former services of those ministers; to forget that to them this country was indebted for the advantageous commercial treaty with France, in the year 1788; that it was to them we owed the improvements which the jurisprudence of the country had derived from the powers given to Juries, and from the decision of the question respecting the abatement of impeachments; that to their exertions and abilities we were indebted for the introduction of that admirable system of finance which had raised the public funds, previous to the year 1793, to the extraordinary pitch at which they had arrived: a system which, by its operation since

Since that period, had preserved the national independence of the country, strengthened its commerce, and secured its freedom. This was not all: the Noble Duke had called upon the House to do this, at a period when the suspension of the powers of Government, even for a week, must be of the most serious consequences—at a time when a conspiracy existed against all the old governments of the earth—at a time when the power and the animosity of the enemy were equally increased; when common spoils would not satisfy her; when she was actually at our gates, when her language was clear and decided

“*Actum inquit*” nihil est; nisi *Preno milite portas*
Frangimus, et mediâ vexillum pono subnixâ.”

This, he said, was precisely the moment when the Noble Duke had recommended to the House to address the King to change the whole Executive Government of the country. For himself he never entertained the idea that the existence of the British Constitution depended on any one man, or on any particular set of men; but this he did believe, that under the present circumstances, the existence of the British Constitution would be highly endangered by the committal of the Executive Government to men, whose ideas of parliamentary reform, and whose supposed connection with affiliated societies, must necessarily have the effect of weakening our means of national defence, and of creating and inciting speculation and disunion throughout every part of the Kingdom.

Their Lordships, he said, were wholly unacquainted with the system on which this new Government would act. Several of the persons most likely to compose it had virtually declared the House of Commons to be no longer the representatives of the people. Would they condescend to resume their seats in that assembly? and would the first acts of their government be proposed to the consideration of Parliament, or ushered into the world through any other channel? In short their lordships were wholly ignorant what might be their plans and intentions—they knew not how far in their desire of obtaining a nominal peace with France they might intend to humble this country at the feet of that power; they knew not how far they might wish to extend the reformation of Parliament (since of the ninety-five who voted for that measure last year, it was notorious that many of them differed most materially from each other) and they knew not, but here indeed, he observed the ignorance was common to the
other

other side of the House also, how *far they might be carried beyond their intentions* in the prosecution of this favourite object of radical reform.

The *Duke of Bedford* in explanation said, that the adoption of the Address could not have the effect supposed by the Noble Lord. He had, in his speech, strongly, formally, and distinctly stated, that it was not the object of the Address, that if the present Ministers were now removed; they must necessarily be succeeded by others, who were determined upon radical reform in Parliament. What he suggested was, that if there were men of integrity and talents in that House and in the House of Commons, who might not think Parliamentary Reform immediately necessary, but who might conceive they would discharge their duty by endeavouring to procure peace with France, and conciliating Ireland, he should be happy to give such men his support.

Lord Holland spoke in substance as follows.—My Lords, if it were possible for me to be surprised at any thing that comes from those Noble Lords who have espoused the cause, and defended the conduct of his Majesty's present Ministers, I must be astonished at some of the assertions of my noble Friend who has spoken against the Address moved by my Noble Friend and Relation. That the country is in a state of unprecedented calamity and distress, is a proposition which I thought till this night, no man could have been hardy enough to deny. To me it appears, that our calamities and distress are so great, and the dangers that menace the country from the present war, are of such number and magnitude, that I am astonished how any one can be thoughtless or sanguine enough to think, that there is the smallest hope of a successful issue, particularly under the Administration of those whose rashness first brought the nation into the War, and whose impotence and incapacity have rendered that war more than any other shameful and disastrous. The Noble Lord though he boasts of the dignified state of this country as compared with others in Europe, admits nevertheless, that the time is pregnant with danger. If then we do stand in that perilous situation, if we are, as the Noble Lord says, threatened by a conspiracy; if the enemy is at our gates; are we not in a situation which requires the assistance of men of talents, fortitude, and vigour; and which calls upon this House to withdraw their support from his Majesty's present Ministers, who have exhibited through the whole of their Ministerial

Ministerial office a total want of capacity and vigour; and who, from the nature of their conduct in the course of this war, have not only involved the country in calamity and danger, but rendered themselves incapable of ever extricating it again. It may seem strange, my Lords, that I, who must be conscious of my own inexperience and deficiency, impeach thus the understanding of men who are allowed to have among them much talents. That they have great talents, I readily admit; but that those talents they possess are fitted for the present times, I take the liberty to deny;

*"Non tali auxilio, nec defensoribus, istis,
Tempus eget."*

Lofty declamation without energy; boastful eloquence without vigour; cunning without wisdom; feeble efforts or temporising expedients, will never rescue this country from the dangers which press upon it from all parts. On the origin of the war, I shall offer a few remarks, since they have been touched upon by the Noble Baron who has spoken against the motion. Although a noble Lord (Lord Grenville) took upon himself to rebuke me on a former night for the sentiments I had avowed on that subject, I will not be deterred or amused from my purpose of repeating them now. The Laws and Constitution give me a power to speak, to offer my advice and opinion as a Peer in this House, and I have a right to make use of all the materials in my possession. The noble Lord has denied that the restoration of Monarchy in France was the primary object of the war, and has given the authority of Tallien, who, in a public paper avowed that it was not the Republic, but France, against which England waged war. This, my Lords, was at one time true, and at another false, just as it happened to suit the occasional views of Ministers. Your Lordships know what were the doctrines which were laid down by a celebrated Gentleman, now deceased, whose talents I admired, whose virtues I revered, and whose memory I respect. I mean Mr. Burke. That great man maintained that, without the restoration of a Monarchy of some form or other in France; there was no security for Europe. My Lords, it is to the confusion of those two doctrines we are to attribute all the errors and all the calamities of the war; for while Mr. Burke urged the necessity of overturning the Republic, Ministers thought that a proper pretext and a fit opportunity to attack France; and thus unhappily contrived to enlist every man in France, whether Republican or Loyalist, against them,
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and to irritate and inflame them against this country. By this confusion of principle, by the duplicity of their conduct, and by the obvious treachery of their views, did the allies enlist not only the interests, but the natural vanity of France against them, so that every individual in that country felt it to be his principle and his duty to resist, an infamous combination of princes, who commenced the war by swindling, and ended it in blunders and disgrace. With views such as these the war commenced; England being at that time, as has been stated, in a condition of unexampled prosperity. That all the objects which Government had in view, whether those so ably enforced by Mr. Burke on one hand, or the indefinite views of the Minister on the other, have completely failed, cannot be denied; neither can it be overlooked that France, at the commencement of the contest, had every imaginable difficulty to encounter. Have I not then a right to say that this country, flourishing as it was, found it impossible to check the progress of France, crippled and depressed; and it is not fair to presume that such miscarriages, so uniformly happening to every plan of Ministers, can only be owing to their total want of talents and capacity as Statesmen? They set out with a very confident promise that the war would be short in duration; it has turned out otherwise, and it is natural enough for them to plead, and may be candid for us to admit, that so far they were in error; but if a long series of action is found to be but one long series of error—if in a period of six years changing from principle to principle, and shifting from expedient to expedient, they are found not to have been even once right, am I not justified in saying that they have neither talents, vigour, nor capacity, and ought to be dismissed in order to give place to men better qualified to govern the country in the arduous and dangerous contest in which we are involved by their folly and wickedness. But, says a noble Lord, “this would be ingratitude. This would be to dismiss men who have rendered great services to the country, and raised its finances to a state of unprecedented affluence and prosperity.” But shall such a paltry evasion be deemed a justification of their having destroyed the finances of the country? Let Ministers restore the finances even to the situation in which they stood at the period previous to their boasted services!! Not only have they undone what they themselves did, but all that had been done before their times. Are we to allow this in justification of their misconduct! Are we, out of gratitude for a small benefit

benefit supposed to be done in time of peace, to overlook the most unjustifiable misconduct of Ministers, and devote the country to them and ruin in time of war?

My Lords, it is impossible but you must remember that, at the beginning of every Session, the Minister has said to Parliament, "There is your expences for this year:" and that invariably and constantly the sum has been doubled before the end of the Session. This is called "an unforeseen accident." Subsidies were unexpectedly found to be necessary, and the ordinary mode of supply was departed from. Those were as unlucky and as wrong as all other parts of the Minister's politics, and here too they plead error; but can they say that they were not cautioned against those subsidies? were there no men eminent for virtue and talents, who predicted at the time, that the subsidized powers would desert the alliance, and that the measures of the nation be squandered in vain? I will not dwell upon the desertion of Prussia, because it is now so long known, and indeed was from the beginning so obvious, that it must be familiar to your Lordships; but Austria was subsidized; and Sardinia was subsidized to carry on the war. Holland did not desire our interference, and all, as they began, so they continued to carry on the war merely because this country persuaded them to carry it on. But happy would it have been for this country if Ministers, instead of subsidizing those powers to carry on the war, had allowed, or even subsidized them to make peace; it may have been justifiable in them to subsidize Prussia to make peace, but it was most unfortunate that Austria was not persuaded to make peace before Belgium was lost. When Sardinia, in return for our subsidy, made a peace with France, it was "an unforeseen accident." Every failure of the Minister's was "an unforeseen accident." Indeed they were the most unfortunate Ministers in the multiplicity of their unforeseen accidents that ever existed. A noble Marquis (the Marquis of Lansdown) in words which I had not the pleasure to hear, but which, if truly reported, in my opinion equalled any that have ever been uttered in this House for wisdom and prescience, once said, that the allies, by their conduct in the war, would establish a military republic in the heart of Europe—and so it turned out. Was that an unforeseen accident? No, not unforeseen. Admitting that it could be termed unfortunate, and that all the misconduct of the war could be considered as no worse than unfortunate, it does not alter the grounds of my noble

Friend's motion, for if the measures of any particular set of men happen to be unfortunate, it is good and sufficient grounds for dismissing them, since very good or very bad fortune have a very impressive effect on the minds of men.

My Lords, I shall now trouble you with a few observations on the very important subject of Ireland. A noble Lord, in answer to my noble Friend's proposal for conciliation, has asked if any one will put his hand to his heart, and say that conciliation would produce the effect of tranquillizing that country? I ask, will any one put his hand to his heart, and say that coercion will produce it? Can any one point out a single instance of such an effect having been produced by such means in such circumstances. Has the war with France, or has that with America, both of which inspired their advocates with the most sanguine and presumptuous hopes, given reason to put any confidence in coercion? My Lords, I can put my hand to my heart, and say, that I am persuaded his Majesty's present Ministers cannot tranquillize that country even by conciliation. How can they conciliate whose concessions are always known to be the concessions of weakness and of fear; who refuse to supplication what they grant to menace; who not only in the case of France, but even in that of the mutinies at Portsmouth and the Nore, and of the grants to Ireland, never conceded that which they had not before refused; and who never granted even to the Irish (the few fragments of whose nautical history left to us prove to be the most generous people upon earth) any thing without struggle and resistance. And thus, my Lords, the Rulers of France argue of our Ministers; and hence arises their reluctance to make peace till they can exact from the fear and feebleness of Administration that which they would despair of obtaining from any other set of men. When they observe in the political tactics here the nature of our Minister, and his jealousy of the People, they naturally say, why does he ask for peace? Is it for the sake of peace in its true spirit? No; no such thing. Is it because he thinks peace wise, or prudent, or just? No, such thing; but because he finds, as he has held it out, that the people are adverse to the war, and demand a peace with a clamour which can only be appeased by holding out the pretext of negotiation; and speculating in this manner on the conduct of Ministers, the Directory withhold that peace, which, if any other men were our Ministers, they would feel it to be their interest to grant to us. As to our negotiations,
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the first proposal made by Ministers was, when Jourdan was at the head of a victorious army ; but that ended because the restoration of Belgium was made a *sine qua non*. In this case, the weakness of Ministers appeared ; for they ought to have duly considered, first, the probability of regaining that country ; and next, whether the sum of money that might be expended in regaining it would not be more than Belgium in the hands of Austria would be worth to us. It is well known that in Vienna Belgium was looked upon as an incumbrance ; to urge Austria to fight for it, therefore, and to pay a subsidy for that purpose, I rely upon it, was actual insanity. To pay subsidies for the purpose of maintaining Belgium as a *sine qua non*, is a proof of either such incapacity or such insincerity as ought not to be pardoned. The British Minister, who was so dignified that he would hold no terms or intercourse with the murderers of the King of France, was found sending a Plenipotentiary over to crouch to one of the worst of those very murderers ; and the enemy, very sagaciously informed from thence that, by waiting longer, they would have more ample concessions ; for the *malus animus* is no more dead among the rulers of France, than among our ministers.

My Lords, Ministers give out that they stay in office to keep out others who would be worse than themselves. This I conceive to be extremely arrogant ; for is it not insulting the nation at large to suggest that there are in it only two sets of men fit for the office ? For my part, my Lords, I am sure there are many ; and I pledge myself to support any set of men who will make the attainment of peace their object. As for reform, I pledge myself to pursue it, as necessary to prevent the same system from taking place here, which produced the French Revolution, as well as that in America. To dismiss Ministers is therefore necessary ; and I for my part will support in or out of this House such Ministers supplying their place as will take measures to conciliate Ireland. The system of coercion ought to be given up, and that of conciliation adopted with regard to Ireland. By conciliation I do not mean terms, but a total change of measures, and a full concession to every just demand. But the concession of Ministers has been always ill-timed or marked with weakness. I repeat it, my Lords, that by conciliation I do not mean terms, but a liberal grant of all they wish for ; it is not for us to determine for them what may be in our

opinions a wise government. Every country has a right to be governed in that way that makes them happy.

The *Marquis of Downshire* said, when he came down to the House it was not his intention to say one word, but what he had heard from the noble Lord who had just sat down, respecting Ireland, would not permit him to be silent. He could lay his hand upon his heart and declare that, in his opinion, conciliation, as explained by the noble Duke, and others, could never save Ireland. If it was meant that the King of Great Britain should no longer be acknowledged in Ireland, and that that country should be a province to France, that indeed might be obtained by conciliation. He would declare further, that it was the general wish of that country to stand or fall by this. But he was sorry and ashamed to say that there were persons in that country so base as to wish to see it made a province to France. He came to the House that day thinking it was impossible for any noble Lord to introduce into this debate the subject of Ireland; after so plain and ample a statement as that which had been made upon that subject, not only in that House but also in Ireland by his Majesty's Ministers. Every syllable that a noble Earl had stated upon that measure had been contradicted by the statement of plain facts. It appeared that the doubts of that noble Lord respecting the existence of a plot were fully answered; indeed so imperfect was the noble Lord's information, that there were there, even in his own house, people engaged in making arms.—There were indeed two sets of people in Ireland: the one of them said they wanted the emancipation of the Catholics; the other said they wanted parliamentary reform—in which they were not sincere; they made use of these pretexes to catch the vulgar and to deceive the ignorant. He was sorry that a noble Lord of so much authority in that country and in this made use of that doctrine in his argument, because that was certainly a misconception, as applied to the people of Ireland.

Much had been said that night upon the subject of coercion. He was ready to confess he was not afraid of the effect of coercion, although he liked concession when well applied, but not that sort of concession that would endanger the state. And upon that subject he must observe, that ever since our Sovereign ascended the throne, every concession had been made that could be made towards Ireland; indeed,
ever

ever since he knew the country the conduct of the Government had been that of granting concession after concession. Ireland had a free trade, almost as free as that of Great Britain; a trade as free as could be safely made so, with due regard to the other parts of his Majesty's dominions. Every Catholic was free who chused to be so; that was to say, they were made as free as the safety of the state would admit. Were the Catholics to have an equal share in the government with the Protestants, the government and the country would be lost. He was more sorry than he could express at being obliged to say that coercion was absolutely necessary in Ireland, to check, restrain, and prevent the progress and designs of the United Irishmen; but he hoped it would stop their progress, and indeed their efforts were becoming daily more and more feeble, the people they had deluded by their artifice to join them were every day opening their eyes; by this coercion, and by being admonished they were returning to their duty, many of them had acknowledged their errors and taken the oath of allegiance; many more were about to follow their example, and many had given proof of their allegiance by entering into the army; and he trusted they would soon all be ashamed of having been deluded so long by those who had nothing in view, but to sacrifice their country to the ambition of its enemies; he must observe still further, that these disaffected persons, the United Irishmen, never would have committed such daring atrocities or gone the length they did, had they not received support from clubs and societies of this country; and he was sorry and ashamed to say that too many noblemen gave strength to these persons and these societies, by belonging to them; or if they did not belong to them, they gave them their countenance, which had in some respects the same effect. He was confident that all the enormous crimes, the menaces of assassination, and the murders that had been committed, were to be attributed to the doctrines and principles which had been disseminated by the emissaries of the corresponding societies, and those who had affiliated themselves to France. Having said this, he was prepared to give his decided negative to this Address. He would not enter upon the general arguments of the noble Duke, he should merely say, that the motion with which he concluded, had only a tendency to damp the ardour of the people; and therefore, were there no other reason against it, he should give it his decided negative.

Lord

Lord *Romney* said, that at so late an hour of the night he should not enter into the project now before their Lordships, but he should say a few words upon it, and, in his opinion, a few would be sufficient, because the real question lay in a small compass. If their Lordships recollected what passed upon the subject last year, they would be assisted very much in coming to a conclusion on the matter now before them, for the same point was then decided after a full discussion, and the question now was, whether any thing had happened since that discussion to alter the nature of the case?

The noble Lord who spoke last but one, had observed that the two wars were owing to the want of a parliamentary reform. Now he could say, for he was in Parliament during the whole of the American war, that if ever there was a war put an end to by Parliament, to the joy and exultation of the whole country, the American war was so put an end to.

The same noble Lord has taken notice of the conduct of Ministers with regard to the Netherlands, there might indeed be some difference of opinion whether the Netherlands ought to be made a *sine qua non*; but he believed there was not a single Lord among them all, that thought the Netherlands were to be out of the question.

In his mind there was not the slightest ground for the present motion, as Ministers appeared to possess the public opinion as much at this moment as at any period of administration. As to what passed last year, and what had passed since, and indeed on the conduct of Ministers altogether, he declared that he expected, when he came down to the House that day, a very different motion, a motion of thanks to ministers instead of a motion for dismissing them. He declared upon his honour that he thought they deserved the thanks of that House, as he believed they had the thanks of the public for their ability, their diligence, and the care they took of the interest of the state in every part of their administration during the course of the present war. He had never considered this as an unsuccessful war. In no spot upon the whole globe had we lost a single point. The enemy, notwithstanding all their gasconade, were blocked up in their own ports, and dared not attack us, even within a league of their own coasts, for they had not attempted it at Guernsey or Jersey. What had been said by the noble Duke of our Ministers was more applicable to the French, as he observed they always boasted in proportion to their weakness in regard to any offensive operations against us, nor did he see the least probability of danger to us from any thing they could do. He did not like to hear dispiriting language used with regard to the exertions

exertions of the people of this country. He was sure it could do no good, but might do much mischief. We should remember the situation in which we stood last year when we had so many domestic difficulties, and so many domestic enemies. How was the picture changed in that respect? Thank God, the fatal blow that threatened the country, and at which every friend to it felt serious alarm, was averted, and the danger was over. We now saw men of every description eager to shew their zeal in their country's cause, and to contribute to the support of the Government under which they had the happiness to live. Did that shew that we should change Ministers, and that to make way for God knew whom. The noble Duke said he would not accept of any office in administration, and seemed to convey an idea that all those with whom he acted would not accept any offices; perhaps they expected an address of that House to beseech them to do so. He ridiculed the idea of serious apprehensions from the menaced invasion. He had heard many question whether they would attempt the expedition; he himself thought it very unlikely; but not one person that ever he had spoken to on the subject entertained the least doubt of their discomfiture and ruin, if they should be so rash as to make the attempt either here or in Ireland. There might be doubts in the minds of some as to the effect in the latter kingdom; but on that subject he referred the House to what had fallen from the noble Marquis (Downshire), who from local connections in that country, had much better information than he could by any means pretend to. The public opinion was still, he was persuaded, strong and decidedly in favour of the present administration, and adverse to any body of men who might be likely to succeed them. Let noble Lords consider what had been lately done. The Spaniards came out with 22 sail of the line. We met them with an unequal force, and they considered it as a miracle that they escaped. Was that a reason for changing Ministers? The most pleasing circumstance with him was, that we were at this moment more capable of carrying on the war than we were last year; and this he believed was owing to the wise policy of the Ministers of this country. It was matter of indifference to him who were ministers, provided they did their duty; it was to the salvation of the country that he looked, and he declared that in the county in which he resided, the people there, (the county of Kent) were so far from not having confidence in the Executive Government, that they were almost to a man ready to come forward to support it. He declared upon his honour, that the people of the county of Kent were
ready

ready to submit to every measure of Government, and he had no doubt that in case of an invasion they would prove themselves a great and powerful, because a free people. He did not mean to say that they were perfectly unanimous, because unanimity to a man was not to be expected among a free people; difference of opinion would exist and would shew itself among such people. It was only where the people were slaves, that perfect unanimity would appear: such, for instance, as in France; where men were forced into the service at the point of the bayonet; that was indeed one sort of unanimity, but, thank God, that was not the unanimity of this country. Upon the whole, he declared he did not think he should be a friend to his country, nor to his interest in it, if he did not give to the motion now before th House, his decided disapprobation. He was so clearly convinced of this, that unless this motion was carried, he should propose a motion similar to that which was voted formerly, to approve of the conduct of administration in the progress of the war. But first he should say, because he thought it his duty to say, that an officer who had done himself much credit (he meant Sir Charles Grey) who was as remarkable for his affability of manners, as for his great skill and experience in his profession, had done the public infinite service. He had kept the soldiers under his command in good order without any unnecessary rigour, and he was a person to whom the public were much indebted.

He concluded with reading the motion, which he said he should bring forward after this was disposed of; the substance of which was, "That their Lordships considering the interest this country has at stake, they have seen with peculiar satisfaction the zeal with which every rank of their fellow subjects were animated; and that, animated with the same sentiments, they deemed it their duty, instead of distracting our counsels, to manifest their attachments to the true interest of their country, by declaring their firm adherence to that system which had been adopted by his Majesty's Ministers in the prosecution of the present war, which had secured us the advantages of a free people, provided us against foreign attacks, and tended to the maintenance of our law, religion, and constitution."

Earl Darnley rose next, and argued for a considerable time against the motion and the reasons which the noble Duke had urged to induce the House to agree to it. His Lordship said, he did not mean to deny the assertion made by the noble Duke who brought forward the motion: that there might be many men in the kingdom competent to form an administration besides his Majesty's present Ministers and his Grace's particular friends:

friends: but he should ever maintain, that it was novel in the practice of the Constitution, that the Crown should entrust its power to men unknown to the country, either as to their principle or character; which must be the case if neither any person at present in administration, or avowedly in opposition to it; is to be admitted. In fact, however, it appeared to him impossible that the Crown could confide in any such unknown description of persons; or that the country would give them any effectual support. The effect, therefore, of this motion, under the most disinterested pretence, was to incapacitate his Majesty's present Ministers, and thereby to force the Crown to adopt his Grace's friends. In this point of view it was that he considered the motion, and objected to it as unwarranted by any proof adduced of the various positions advanced by the noble Duke in support of it, and also from a conviction that public confidence and opinion, as between the present Administration and his Grace's friends, was explicitly in favour of the former. So far from blaming them as the authors and aggressors in the war, he thought that great doubt ought now to be entertained, whether in the true point of prudence and policy they had done their duty by not being the authors of it, or of having retarded it too long. Upon this subject, he, for one, had considerable doubts, and was much more inclined to blame them for want of foresight and readiness to engage in the war, than for any eagerness of disposition they shewed towards that event. If in the overtures that had been made for peace, Ministers had insisted on the restoration of the Netherlands, it was only acting in conformity to the established policy of the country. That circumstance therefore could not be advanced as matter of charge, nor could it be maintained, that they had not now shewn every disposition and done every thing in their power towards peace that was consistent with the honour and independence of the nation. Admitting that France was capable of the relations of peace and amity, she had shewn no inclination to enter into them in either of the treaties commenced through the medium of his noble friend (Lord Malmesbury). Until such a disposition was apparent in the enemy, it was absurd to attribute the continuance of the war to Ministers. For these and other reasons that his Lordship adduced, he declared, he was most decidedly adverse to the present motion, and should give it his opposition. He meant not a general and unqualified approbation of the conduct of Ministers; in the course of the war he frequently had occasion to express his disapprobation of particular measures pursued by them; but on the whole he saw no cause of crimination

nation so as to induce him to withdraw his confidence at the present juncture from them, and was convinced that they possessed the public opinion in their favour in a much greater degree than those who alone were likely to succeed them.

The question was then called for, and the Lord Chancellor began to read the motion for the purpose of putting the question, when

The Marquis of *Lansdown* rose and spoke nearly as follows:

The question now before your Lordships being in substance a very plain one, I shall confine myself to the matter of it; or, at least, I shall endeavour to do so as succinctly as I can. Whatever my opinion might be as to the origin of the present war, I shall abstain from delivering that opinion now, on account of the lateness of the hour, and for other reasons which I need not enumerate.

The situation in which we are, and which every man's heart and hand should be ready to relieve if possible, is, in my opinion, a very alarming one. The question before us is, whether his Majesty's present Ministers, as they have proved themselves by their conduct, (for it is by their conduct only they can be fairly tried,)---are capable or incapable of conducting the affairs of this country with advantage to its interests; are fit or unfit to be trusted with its management in future? In this critical moment, I know of nothing whereby to judge of men, but by their conduct and their actions. They have had great experience of your Lordships and you of them; they have had many opportunities of shewing their talents; they have had the purse of this nation entirely at their command, for now upwards of four and indeed almost five years.

It is easy to put every man upon the right road to come to his journey's end in forming an opinion upon Ministers. We have only to examine what they have promised,—what they have undertaken---what they have done. And if they have promised any thing which they have not performed, what reasons can they allege for their failure: Whether they have made good your expectations, or disappointed you in them. In God's name, if they be proved to have acted as wise men ought to have acted, let them not only be free from censure, but let them have your praise; for he must be a weak and wicked man, who would desire you to advise your Sovereign to dismiss Ministers who have acted wisely. It would be a bad thing to have the Government of this country at such a time as this for three days only (more would not be necessary) without

without an Administration. If, on the other hand, it should appear, they undertook what they knew they would not accomplish, or what they ought to know they could not accomplish; if, from affluent circumstances, in every sense of the phrase, they have reduced you to poverty; if, from the highest credit, they have brought your finances to disrepute; and have brought you to that state in which they have often declared your enemies to be; and that by their negligence or incapacity;---then I say he would be a wicked man who desired you not to address your Sovereign to dismiss them from his Councils. I speak not with party spirit, there are men both in Administration and Opposition for whom I have great respect, for their talents at least. I have great respect for the noble Duke, whose motion is now before you, and whose integrity of mind I value in the highest degree, and I respect many other noble Lords who generally agree with him; but it is not to one, or two, or to twenty persons that I look. I think that worthy and able men are never wanting. I have seen enough of this world to know that nature, ever true to herself, always produces that which is necessary, and which man may always find upon seeking. I should wish to bring this subject into as small a compass as possible, considering its importance, and to lay it before you with such simplicity and clearness as may enable you to decide upon it without difficulty. Differing as I know I do from many noble Lords; differing perhaps from the majority of your Lordships, upon this question; I think it my duty to state that difference, and to lodge it with your Lordships, from which I am not without hopes some good may arise; since if I am right I shall afford you an opportunity of becoming so; and if wrong, that is my affair; but there is no man who will be more sorry for his error than I shall be. This question ought to be coolly and calmly decided, not by passion and prejudice. I remember what the course was during the American war. The passions were addressed, and every man who attempted to address the judgments of men was cried down; and I saw afterwards all that false ardor abate, and Reason resume her empire; but not until much mischief had been occasioned. I would to God that the dangers were not greater now from these passions and false argument, than they were at the time of the American war; but all the evils of that war were nothing when compared to the present. What has been the conduct of Ministers generally speaking? Bold and unqualified assurances of success have been repeatedly

given from time to time in this and another House of Parliament; similar declarations of bold and decisive confidence were made in the American war; yet every one of them were contradicted by the events that took place in like manner as they have done in this war. With regard to allies, they said that your Allies were such as would never quit you, but would carry you through every object they undertook for you. When any thing was urged against them, it was considered as indecent to suggest it; so dangerous to the public, that even a discussion was only likely to embroil the safety of your country. The coalition of the Powers against France was spoken of in the loftiest terms, and represented as a prodigious and irresistible force, far above that confederacy formed in the reign of Queen Anne. In short, you Allies were said to be superior to any idea of default. Nay, I have heard it called a libel upon his Imperial Majesty to doubt the solvency of the Court of Vienna, for actions to the amount of 400l. for every 300l. were deposited in the Bank to make good the payments of the Imperial Loan. It was ungentlemanly and mean to doubt the good faith of the Imperial Court, in pecuniary as well as military engagements. That an idea of the Emperor making peace without us was so absurd a thing, that the statement of it was not to be endured. What was said of the French Finance?---That the French were in a state of abject penury; ---that in Paris, and all over the Provinces, they were reduced to the last penny; that they had issued I know not how many milliards in paper which had been spent in a single campaign, and which, amounting to the enormous sum of one hundred and seventy-two millions sterling, they could never pay, and that it was impossible for them to go on; whereas you had a million surplus besides your sinking fund; in short, that your property was unbounded while the French had not any. That indeed the war was to secure your property, which would be done so well, notwithstanding the war, that you would never be called upon to go out of the ordinary course of taxation; and that it was out of the chapter of accidents for you to be brought into a situation by which your property would be insecure. Compare these vaunting promises with the facts as they have since appeared, my Lords. You were promised great success upon the Continent in consequence of the wise measures of Administration; you are now driven from the continent, so that you have not room to form a line there. Nothing can protect you from mischief upon the Continent, but the total insignificance to which you are reduced. Tell me when there was a period till the present in the history of Europe, when Great Britain dared

not

not shew herself upon the Continent; she is indeed blotted out of the map of Europe. You now have no Ambassador to see or represent any thing with regard to the balance of power in Europe, which you were wont to adjust, which you have now lost, and lost, I fear to all eternity, by the mismanagement of your Ministers,

A noble friend and relation of mine, (Lord Holland) asked the other day for some papers relative to Belgium being insisted upon as a *sine qua non* of Peace. Had I been in the House I should have saved him the trouble of moving for any such papers; because I could have told my noble friend that Ministers had no such papers as he wished for. They have no papers from the Emperor respecting Belgium, my Lords; I know they have not. They might have shewn my noble friend some fencing diplomatic correspondence, that nobody would give them two-pence to see. In God's name if they had, could any thing possess their imagination on the 27th day of December, 1796, to make that absurd demand upon the French? What do you think of the heads of such Ministers, my Lords? Is it conceivable that so much absurdity can enter the mind of man as this will appear to be when you come to compare the dates. They insist at this time on the restoration of the Milanese and the whole of Savoy, and that every thing should be put on the footing of the *status quo ante bellum*. In less than four months after this, it appears that the Emperor opened a negociation with the French, in which he stipulated as a preliminary, not to insist upon any of these points which our Ministers insisted upon for him. Is it conceivable they should have done this, had they the communication from the Emperor of what was then the view of the Court of Vienna? This negotiation opened on the 17th of April, 1797. Here our Minister proceeded as if they were the Governors of all Europe, at the same time when all Europe was laughing at them.

But, what is become of all the millions of paper which were to bear down the finance of France? These same millions of assignats they have got rid of at the expence, to their Government, of only six millions sterling, and yet they have contrived to continue the war, although our Ministers pronounced that to be impossible. Their paper is extinct instead of being extended. But what is our case in point of finance? We are driven to every desperate resource—driven to I know what expedient—somebody said something of swindling, this is something very near it. With regard to the subscriptions, I can only

only repeat what was better said by Mr. Burke, who was certainly a man of great weight with Ministers; he says of subscriptions, "it is one step towards the dissolution of all property." If that was his opinion long ago, what would he have said to the present step? Here we were going over all the country, making public and chartered bodies apply the property entrusted to them for certain uses, to the exigencies of Government; the Bank of England is made to give, headlong, 200,000*l.* without the advice of their counsel. Why have they a counsel? Why should they throw away their own money and the money of others at the feet of the Executive Government? No man is accustomed to speak with a more superstitious regard of the Directors of the Bank of England, or of the Bank itself, than I am; but when I see the Directors so ready to supply Government, contrary to the rules of law, and contrary to the principles of justice, giving away the money of the Proprietors, without their consent, (for I do not call it a consent when money is voted away at the Bank, God knows by whom, in a huddle bubble manner) I am obliged to qualify the character I had been accustomed to give to the Directors, and to say that the people ought now to distrust them.

With regard to property, I would ask, how is it possible you can conceive, my Lords, that protection to property is the object of this war? And here I cannot help saying that new, and, in my opinion, very dangerous doctrines are held forth concerning property, of which I will give your Lordships a short proof from a memorandum, which, if I am rightly informed, ought to alarm your Lordships, as I assure you it has alarmed me; it relates to what passed in another House. I will give an opportunity to explain the doctrine away, or else it shall come before your Lordships again and again. It is stated to have been said, "That offices and places were held by a stronger tenure than any freehold." I will never suffer that doctrine to go unrefuted. To consider offices and places under the Crown of equal weight or superior to freehold property, is a doctrine of the most monstrous nature. Offices are commonly obtained by accident, intrigue, or Court corruption, and they should never be put on a footing with a freehold. True it is indeed, my Lords, that these doctrines do not startle many of your Lordships much, because ideas of property are not much examined; the reason of that is obvious—it is because property has hitherto been pretty secure in this country, and men seldom examine into things which are not much disputed. But your Lordships should be aware, that when once your property is insecure, your liberties will soon become so. If you
give

give up your property to these profligate principles, your liberty must soon follow; and indeed property may soon subsist without liberty, better than liberty can subsist without property.

I know it is difficult to look your circumstances in the face, my Lords; but it should be done; and it should be remembered that nine times out of ten in private affairs, men are ruined for want of looking their affairs in the face. This is not a matter to be delayed for months, nor for many weeks, no, nor for many days.

I come now to consider of the folly of the system of our Ministers, in endeavouring to extend our empire by conquest. That extension is pleasing to weak minds, because it is a necessary extension of patronage; but I have seen various instances of the folly of it in a national point of view. We have conquered islands and given them up. Corsica was ours at an immense expence, and resigned, and I wish his Majesty's Ministers could have been persuaded to abandon their mad schemes of conquest in St. Domingo. I have proof of the absurdity of unnecessary extension of dominion beyond its true limit. A Gentleman settled at Montreal has lately written me a letter, in which he assures me that the inhabitants enjoy the greatest plenty, not only all the comforts, but even the luxuries of life, owing to the activity and industry of the people in the neighbouring colonies, and these good consequences he states chiefly to result from the giving up of those many posts, for which, but a few years since, we were nearly entering into a war with America.

But how are you to defend yourselves against invasion? I own I have no very great fear of it in this country; but as to Ireland, true it is Hoche is no more, but I cannot help remembering how the case stood on a former occasion; nor can I help observing, there is no crime in stating it, for it is a matter of common history, that all about Limerick, which every military man knows to be an important post, is very defenceless, and there is no knowing what the case may be. A few ships have been stationed at Cork, but I am afraid also of the state of the north-western coast. Is there a sufficient naval force in the Shannon, and off Bantry Bay? I am afraid also that the state of Ireland is not so good as some among your Lordships imagine it to be; for though I have a great respect for the noble Marquis [of Downshire,] and an esteem for his local knowledge, yet every body should form his own conclusion from his own views of a thing, and the information he receives. I have every reason to believe that Ireland is at this moment held

held, from one end to the other, by military tenure. How it can be safe under a military tenure I cannot conceive; how the military can be totally free is beyond my comprehension. This very day, my Lords, I received accounts from Ireland; not from a politician who colours and paints facts to suit his system; nor from a man who is paid for writing news, but from a plain matter of fact individual. He says that the farmers in various parts in Ireland are declining their tillage. What a scene of calamity does this not open to our view? here is the possibility at least of a famine in one part of the Empire. But look at the thing on a larger scale. What is the British Empire? It consists of Great Britain and Ireland, together with its dependencies; which dependencies I conceive to be a considerable burthen in any but a commercial view. Even your India I have never been an admirer of, except for its wealth, which by the way may be more than equalled by the losses of life and corruption of morals which it occasions. What then is the situation of the kingdom? Ireland is held by military tenure, which is very expensive, very precarious and very dangerous. Scotland is said to be quiet, and that there is no distrust between the gentry and the labourers, that there is no disaffection there, although the state of trials there hardly lead us to that conclusion; and there are some ugly appearances in that part of the kingdom. The time may soon come when England must support Scotland to carry on a war in Ireland. Why, my Lords, in this way, if the country was made of gold, and men could spring up like mushrooms, you could not long continue upon this system. It does not signify, although you should be secure from invasion, the want of money will destroy your efforts.

I object to the system of coercion which has been adopted. Lenity is much superior; and for this plain reason, that coercion requires much superior talents to that of lenity; and you may not always hear of a Richelieu, a Strafford, or an Oliver Cromwell, to proceed by deception. And I say, if you take the history of mankind from the earliest times down to the present, the precedents are twenty to one in favour of lenity, instead of coercion, to make a government prosper. You may make it high treason to doubt of the prosperity of the Empire, and carry every thing before you; but the delusion will go off, and in a few months you will find that you have followed a false plan, and that it is too late to repent of it.

As to what is wanting, you could do it to-day, if you think fit. I have been told that the difference between a wise man and a weak one is, that the wise man sees an event about three days

days before the other. I am afraid the Government of Berne, although generally speaking a wise one, has been too late in seeing its interest. I wish that we may not lose our time. All that is wanting with us is, that our affairs should be entrusted to some men of plain understanding who can see before them for a few days. You should only do on the Thursday what you must do on the Monday.

With respect to the specific Motion before the House, I wish to remind you of what I said on a similar motion last year. I have always been inclined against motions of this kind—I was against it last year; but I am for it now, and I will tell your Lordships why: I have had the experience of the year 1782, where I found that Ministers were called in to make a peace; and then they were dismissed. Men who have the confidence of the public are brought in for a particular purpose; and then they are succeeded again by the old ones they displaced; and the public, I am sorry to say it, have a very short memory, and they very soon forget all that is done by one set of men for them, and by another against them; so that the Court may use its pleasure as to Ministers after the first burst of indignation is over. I call for a dismissal of the present Ministers immediately, because we are in a desperate situation, and not a moment is to be lost. Let us have an Administration that may produce you peace, and they will do you a great deal of good, although those who are now in power may return to it, and those who procure you peace may be hanged for their trouble. As to the real remedy likely to take place, I confess I can see none, unless the King and Queen could be convinced of their error and their danger; or the public seek these constitutional means that may produce the desired effect. The Court, I am afraid, will not see its error until it is too late. I am afraid too the public will not find out any constitutional means, and I wish no other, to obtain relief, but these as the only means to give a quick and speedy change to measures which I am confident must end in utter destruction.

Lord *Mulgrave* rose, and after noticing the unparliamentary manner in which the noble Marquis had alluded to their Majesties, asserted with much warmth, that it was not solely to the choice of the King and Queen, or to the favour of the Court, as insinuated by the noble Marquis (Landisdown) but to the according and unanimous approbation of the people, that the present Ministers were indebted for their situations and for their continuance in office. Not only was the conduct of his Majesty's present Ministers arraigned in the speeches of the two noble Lords who preceded him; they moreover extended their censure to the Ministers of almost every other country, for

their ill management of that grand confederacy in which they had embarked against France; their conduct was also stigmatised by another noble Lord (Lord Holland) as bordering on something like swindling, though it is well known that as far as we were affected, all our engagements had been punctually and honourably fulfilled, and how had Ministers been enabled thus rigourously to fulfil them? Was it not by their unremitting endeavours to support the state of our finances; for to them was undoubtedly owing the flourishing condition to which they had been raised; and by the able conduct of Ministers in this respect, was the nation put in a situation to meet the unparalleled exigencies which it has since experienced. It had been stated by the noble Marquis, that one campaign cost the enemy not less a sum than one hundred and forty million! while the expences on our side of the same campaign did not exceed our ordinary resources. The confidence of the people was also forcibly evinced in the abilities and integrity of the present Cabinet, by the spirit and alacrity with which they now pressed forward with voluntary contributions in aid of the growing exigencies of the state; which, however, they might be treated as hubble bubble contributions by the noble Marquis (Lansdown) could not fail to do equal honour to their feelings and judgment, and prove beneficial to the great cause, in support of which they were bestowed. The noble Marquis was also very anxious to defend the interests of the Bank, so much so indeed, that he betrayed a much greater tenderness for the purse of the proprietors than they themselves seemed disposed to manifest, as no complaints had yet been made against the *hubble bubble*, the proprietors had voted with so much cheerfulness and public spirit. His Lordship next commented on the part of the speech of the Duke of Bedford that related to the respective negotiations for peace with France. The noble Duke had made a calculation of the expences of the war, between the period when, according to his Grace, we could have obtained peace, and the present. But eager as his Grace had been in the former debate of that evening to commute money for confinement, much and warmly as he appeared to entertain a preference for liberty over wealth, in his calculations of the expences of the war, he had not calculated the dangers to the country from French principles and the war of French anarchists against this country, and against the whole of Europe. Ministers were also blamed for not having made peace with France; and why? because delaying to make peace was establishing a military republic in the heart of Europe, while it was omitted to be considered, that making peace with that country, was opening all Europe to the missionaries which they

they would send forth in crowds to propagate their revolutionary doctrines. This was not to be controverted; in rested for proof in the uniform conduct of the rulers of that country; and farther, as to the subject of pacification, was it worthy of a free and independent country to be so frequent and forward with its entreaties for peace, and that to a Government which had shewn itself so evidently adverse to every thing pacific: since, instead of appealing fairly and freely disposed to enter into a negotiation, they answered the question of our Minister by another. If he had any objection to urge against Ministers, the blame he would attach to them was, that they manifested a desire first to enter into a negotiation where there was no probability of success, and thus to give an advantage to the enemy without any expectation of receiving an equivalent—our other attempts were equally ill timed and unprosperous, but with regard to the last negotiation, there was, he believed, no difference of opinion concerning its termination, nor would it admit of any argument in favour of the enemy. Let noble Lords ask, what had the countries gained who had been the first to make peace, or those who had uniformly continued neutral? What would the King of Prussia say, who had lost his provinces on the Rhine? Consider for a moment the conduct of the French throughout Italy; their treatment of Venice; their behaviour to the Duke of Tuscany; their return to Georgia for its partiality; and their still more recent conduct in the Pope's dominions, in his capital, and at this very time in Switzerland! As to what was advanced respecting the present state of Ireland, this, his Lordship said, he felt to be a delicate subject; and whatever opinion might be held respecting the necessity of what was called conciliatory measures, the present was not a state of things to admit of conciliation. All our concessions to that country were said to be from meanness and fear, but this was an accusation against Great Britain, and not chargeable on the conduct of Ministers. On former occasions no cause of complaint had remained undressed; but if the demands they now set up are to be conceded, then indeed will they appear to be conceded from meanness and from terror.

Lord Mulgrave inveighed, with great force and ability, against the principles and conduct of the United Irishmen, who, he said, were prepared to throw their country into the hands of the enemy, and make it a province of France; that such was their intention was evident, if he might credit an article which he saw that day under the head of Ireland, in a morning print which expressly stated, that among the *papers of the Irish Directory* lately taken, was found their resolution

not to attend to what either House of Parliament might say, nor to accept of any thing short of a complete emancipation of their country, or in other words, what France holds out as a temptation to the rebels of every country. But if that country was ever unfortunate enough to fall under the tyranny of the Directory, it might now anticipate an idea of the horrid slavery under which it would be bowed, by reflecting on the situation to which they had already reduced all those who had listened to their invitations of fraternization; then should they learn the fruits of peace with France, then should they taste the fruits of complete emancipation. These were the fatal effects which he heartily deprecated from a peace with France, and on these he rested his resistance to a conciliation with the rebels of Ireland, and his present defence of the conduct of Ministers. His Lordship asked, supposing that the motion were agreed to, and the present Ministers dismissed, who were to be their successors? Were they to be the friends of the noble Duke? Were they to be those Gentlemen who would not condescend to come into office without insuring the attainment of their favourite objects, a radical reform, and a peace with France? On the subject of reform, how was the House and the country to know that the noble Duke and his friends entertained the same sentiments as to what ought to be its extent? Radical Parliamentary Reform had been mentioned. Was it clear that the head of the Corresponding Society and the head of the Whig Club (alluding to Mr. Fox, and Mr. Horne Tooke, who had solemnly engaged to act together. Nor could he say, how far the other Members of that club might have entered into that mysterious enigmatical connexion)—(Some Lords of opposition hinted, there was no person of the latter description.) His Lordship continued, that he could not say what were the other dominions of the right honourable Gentleman, but evident it had appeared to many that they were coalesced. Was it, he would ask those who absented themselves from their duty in Parliament, and who in preference addicted themselves to clubs? These clubs might indeed be more innocent than those in France, nor would he impute to the noble Lords any of the spirit that actuated those clubs. He did not therefore wonder that the French were satisfied with the declarations of certain men in and out of Parliament, and looked to them with confidence for support. And while he could most cordially admire the splendid, and the magnificent talents of the right honourable Gentleman he had alluded to, what assurance had the House that upon his being in office, should ever the country and Parliament not concur in his plans of reform, he would

would not resort to the Societies. He would not, however, impute to the men of whom he spoke, the intention of treacherously joining France. But when it was stated by the noble Duke, that Ministers could not make peace, and by the noble Lord, that they could not conciliate Ireland; was there not great reason to apprehend, that France, viewing a change of Ministers, as a change of the system of the war, and an acknowledgment that we were the original aggressors, would extend her demands with the lamentations of the new Ambassador, and grow in insolence, as the Ministers of the new creation enlarged their sympathies and professed their grief. But at all hazards, he was not for entrusting power to the hands of those whom the French could look upon as their friends, nor did he deem it safe or expedient to remove the present Ministers who enjoyed the confidence of the country, in order to make room for those who were supposed to be less objectionable to the French Directory; and under these circumstances, he could not approve of the motion of the noble Duke.

Lord Grenville said, that on the present occasion he had rather thought it became him to wait the opinion of others, than to shew any impatience to deliver his own sentiments. Certainly, if it was true (which the Noble Duke [the Duke of Bedford] had that night imputed to him as blame), that he felt a desire for honest fame, and an anxiety to merit the good opinion of his country, and of posterity, that sentiment must be amply gratified in the manner in which the conduct of Government had that night been spoken of, and in the quarters from which that approbation had proceeded. In what related personally to himself, he might well rest the question there; nor even would a much higher object, the vindication of the dignity and honour of Parliament, and of the character of the British nation, which had that night been vilified, have induced him to attempt to add to that impression which had already been produced—He might even have remained silent, when it was said not only of Ministers, of that House, and of Parliament, but of the whole people of England, that they had embraced with satisfaction the idea of the extermination of the people of France; an imputation so horrible and so unfounded, that he could hardly yet persuade himself that he had heard it uttered by a Member of that House*.

But he considered the present motion as much more important, with a view to the present and future interests of the country, than in its reference to the conduct and character even of the whole British nation. It brought to issue here, that question which now divided every other part of Europe,

and

* Duke of Bedford.

and into which no man must disguise from himself, that all political differences in this country were now rapidly resolving themselves.—Considering it in this view, he could not satisfy his conscience, if he did not solicit their Lordships' attention to it. It would easily be seen from the whole course of argument by which the motion had been supported, that the present question related much less to the conduct or character of any individuals, than to the system on which the Parliament and people of this country were at that moment acting, in opposition to the arms and principles of France. In order to decry this system, and to induce the British nation to confess those crimes and follies, that injustice and cruelty, with which the noble Duke had charged them, he had revived all the unfounded allegations respecting the principle of the war, so often made in that place, and so often rejected by their Lordships. These the noble Duke had with much labour contrasted with each other; but their difference only proved the contradictions of his own accusations. The principles which he asserted to have been adopted and maintained by Government, were indeed those principles which had on different occasions been imputed to them by the noble Duke and his friends, but which the Ministers had then, as now, uniformly and unequivocally disclaimed. The decisive proof upon the subject was to be found, not in loose recollection or in vague reports, but on the Journals of the House. The speeches with which the King had opened and concluded each session of Parliament, afforded an authentic record of the language of Government respecting the origin, grounds, and progress of the war. There were, besides, upon the Journals, many declarations which this House had made at different periods, sometimes at the express suggestion of Ministers themselves, and with the avowed intention of obviating misrepresentation. Why were not these appealed to? What two of these could be produced which contradict each other? What one which would support the statements of the noble Duke? The King's Speech in 1794, to which the noble Duke alluded, he had himself intended to have read in his place: it was now too late an hour to detain their Lordships with it; but it was on the table; and he challenged his opponents to find in it any paragraph (provided it was read entire—not garbled as he had seen it in some publications) [alluding, probably, to Mr. Erskine's pamphlet on the war] which could afford the least foundation for what had that night been said of it. This then was his defence of Parliament, against the imputation of having varied its language,

guage, or disguised its objects—of having engaged in the war for the restoration of monarchy in France, or of having pursued it, at any period, with any other view than that of obtaining a secure and honourable peace for this country.

The noble Duke had next proceeded to condemn the alliances entered into for the prosecution of the war. It had been said that Ministers had pledged themselves that the allies never would desert this country. Was it possible that such a pledge could have been given, or that Parliament ever could require, or receive it? The British Government could not controul the conduct of foreign powers. They had, indeed, alledged (particularly in the case of Austria) the various motives of good faith, honour, and dignity; of interest, and even of security, which ought to induce that power to abide by its engagements with Great Britain. Yet if these considerations were ultimately without effect, we had, at least so long as they continued to operate, the advantage of the assistance we then received. If any continental powers are so infatuated as not to see, that by shaking the public faith and honour of their Governments, they shake the very foundations of their thrones;—if they have not yet been taught, that by giving way to the present views of France, they are opening to her the gates of their own capitals, you may regret the circumstance for their sake—you must lament it for your own; but you cannot, in justice, impute the blame of their blindness to men who act on more honourable principles, and with a wiser policy. We have under such circumstances at least this consolation, that if we now contend alone, it is against an enemy exhausted by the effects of that very system of alliance which the noble Lords condemn. It was indeed curious to observe, that at the very moment when these alliances were most loudly blamed, and when one noble Lord [Lord Holland] had hazarded the extravagant assertion, that it would have been better to have subsidized these powers for concluding separate peace, the loss of their assistance was the very topic on which the same noble Lords had most relied, in all their efforts to depress the spirit of their country. Ministers had endeavoured to procure that aid when it could be had; we then reaped advantage of it; and even when its immediate operation has ceased, we feel at this moment its beneficial consequences. What would be said to any Minister engaged in a just, necessary and arduous contest, who, declined to avail himself of any alliances, because there never could be any certainty of their permanence; or who refused

refused a powerful aid in present, because it might possibly be withdrawn before the termination of the contest?

The House was then told, that in every part of the war we had completely failed; and for that reason they were desired to withdraw their confidence from Ministers, who had shewn themselves unable to defend the interests of their country. It would hardly be credited by any man who had not heard the noble Lords, that in all their statements of the conduct and progress of the war, they had omitted even the slightest mention of any part of our naval triumphs. On the affairs of the continent, in which we have a secondary interest, they had dwelt with peculiar emphasis, but of that which was the primary object to Great Britain; not a word had hitherto been said. This was the justice of the noble Lords. They proposed to the House to condemn the Ministers, without even examining the principal feature of their cause. For the systems of foreign courts, whom we could not direct; for the success of military plans, which we could not controul; for the operations of foreign armies; in which we had not even the smallest share, they attack the character and arraign the conduct of Ministers. Of that which is immediately within the sphere of British Government, which claims the first duty of Ministers, and the first attention of Parliament; of that on which principally depend the national prosperity, security, and honour, they wish you to dismiss all consideration. Against this mode of trial, his Lordship said he must decidedly protest; claiming for himself and for his colleagues that share of credit, whatever it may be, reflected on them from those triumphs, the chief praise of which was due to the valour and conduct of the British. The fact of these successes could not be denied. In that part of the war which belonged to England, and in which alone the conduct of the British Government could appear entire and unmixed, we had not only not failed, but had obtained successes which surpassed the most brilliant examples of our ancestors. It was with their examples, with their naval triumphs, with their success and glory, that he was not afraid to compare the present war; demanding of his opponents what other period of our history could be found; when, after decisive and glorious victories successively gained over the fleets of France, Spain, and Holland, the British navy had rid triumphant at the same moment at the mouths of Brest, and Cadiz, and the Texel?

It had been next alledged, that we had evinced a disposition to continue the war beyond the time when peace could have been

been honourably obtained. It had been that night asserted, and he had occasionally read elsewhere, that there was a period, during the successes of our allies on the Continent, when France would have been disposed to peace, and that this disposition had been criminally neglected. It was difficult to meet such an assertion, because it did not specify the time to which it referred. He desired therefore first to deny it as a general assertion, and in the most unequivocal terms. As far as he could collect, what was the particular period referred to, it was during the tyranny of Robespierre, of whom he could not speak in any terms of abhorrence equally forcible with those daily used by every Frenchman, and most of all, by those who had been most subservient to his power. He mentioned the name, only to remind their Lordships of the system then pursued. There was at that time no Government in France, unless their Lordships would dignify with that honourable term, assassins, butchers, and executioners, stigmatized with the universal execration of mankind. There was no disposition to peace with England, unless it could be found in the reports of Barrere, who then first brought forward the comparison of Rome and Carthage—who then first announced the principle, *Delenda est Carthago*; leaving to his successors the first example of that language, since so completely adopted by the French Directory.

If other proof was wanted, it would be found in the decree for giving no quarter to the British troops—a decree which, in justice to the French troops, little as he was disposed to praise them, he must say, that even they had refused to execute, and which he believed had never been enforced, except in some few instances, by the immediate instruments of that sanguinary system. So far was he from thinking that there was at that moment any real chance of negotiation, that in his soul he believed any British Minister then sent to Paris, would have been sent only to accompany the victims of that tyranny to the guillotine. From the moment of the fall of Robespierre, every opportunity that pointed towards peace had been eagerly (sometimes perhaps too eagerly) embraced. The question of the negotiation at Paris, had that night been revived—That negotiation had already been fully discussed by their Lordships; and their opinion of the sincerity of the British Government, and of the hostile determination of France, had been unequivocally expressed. He would not therefore detain them with fresh refutation of old and hacknied objections which they had so repeatedly examined, discussed and rejected. But a new accusation had that night been made, so extraordinary, that he had been unable to refrain from interrupting the noble Duke by

the involuntary expression of his astonishment. The noble Duke had said, that the plan of peace then offered by Great Britain, rested on the partition and spoliation of the little powers of Europe: when called to by him (though irregularly, he confessed,) to specify the particulars, the noble Duke had told the House, that the British *Projet* took Trinidad from Spain, the Cape and Ceylon from Holland, and left the three partitioning powers in the possession of Poland. As to Trinidad, he perceived the noble Duke had discovered his mistake, and therefore he thought it unnecessary to dwell upon it. He had never before heard Spain and Holland included in the description of the little powers of Europe. Nor would it have been considered as a proof of much disposition for peace on our part, if we had announced at Paris, that this blessing must be deferred till Russia, Austria, and Prussia were compelled, by what means he knew not, to restore the antient limits and integrity of Poland. We were no parties to that partition, which we had always reprobated; but which we had no means to prevent, much less to rescind it after its completion. Holland, when we were first driven into war, was a friendly and independent power, with whom rested the defence of those possessions which are often considered as the keys of the British empire in India. We offered to France, that if she could replace Holland in that situation of independence and amity towards us, we would restore those conquests: we even added, that if this, from subsequent events, could only partially be done, we would consider to what extent our own safety would allow us to relax from demands, in which that consideration had formed the principal ingredient. So far from plundering the little powers, the *Projet* had been expressly framed in the view of preventing such a measure. If by the restoration of our conquests to France, the Netherlands had been procured for the Emperor, all plea for these extensive schemes of partition now in agitation, would have been at once removed.—The failure of that plan had led to the system now pursued at Rastadt, without the concurrence of Great Britain. Of the negotiation at Lisle, even the noble Duke had found it impossible to speak in any terms which could contradict the general impressions of the country. He had therefore contented himself with blaming the choice of the negotiator who was employed. Speaking in the presence of that noble Lord (Lord Malmesbury), Lord Grenville said that he could not express all he felt of his conduct on that occasion. He would only therefore remark, that he was now censured for employing a man, on whose conduct in the most difficult

difficult situation, malignity and faction themselves had never been able to cast the slightest imputation.

From this part of the subject Lord Grenville passed to the Origin of the War, which had again been brought forward, and particularly by one noble Lord (Lord Holland) who for the second time referred to supposed opinions delivered in that House long before he was a member of it, and who had charged him for having, as he termed it, rebuked him on that subject. He certainly had not presumed to rebuke him for any part of his Parliamentary conduct, but had taken the liberty to do that which he must again take the liberty of doing, *viz.* advise him to leave it to other Lords to notice what had passed in Parliament respecting the origin of the war, topicks which had been repeatedly discussed and decided upon in that House, at a period when the noble Lord could not possibly be supposed to have turned his attention to the grounds of those discussions and decisions. If, however, the noble Lord was really desirous of obtaining information as to the causes of the war which France had declared against us, he might refer him to the Journals of the House, and to the other authentic documents of those transactions. But he thought the noble Lord might even spare himself the pains of acquiring more accurate information of former transactions, and might easily form his judgment from what was now passing before his eyes. For, if it was true that present conduct afforded any criterion by which to judge of past intentions; or that the character and views of men and governments were expanded and developed by success, he might rest the question of French Aggression on that ground alone, abandoning for the moment every one of those arguments and proofs on which that point had long ago been decided by their Lordships. He would pass over every ground of jealousy or complaint which preceded the war—the occupation of the Netherlands; the navigation of the Scheldt; the repeated insults to our allies; the orders of Dumourier to attack Holland; the orders to Genet to stir up America against us; the decree of Universal Fraternity; the public audience given by the Convention to the Ambassadors of British Treason; the declaration of the French Minister of Maine to the British fleet, that they should plant the standard of liberty in England; the whole language and conduct of Chauvelin; nay even the declaration of war itself, made in the midst of negotiation, and at a moment when, by the confessions of Brissot, Robespierre, and Dumourier, England had manifested an unequivocal desire for the maintenance of peace—all these he consented to omit:—The views of ambition and aggrandizement pursued by

France upon the Continent; her unjust aggression against Austria and Prussia; her unjust invasion of the German Empire; her unprovoked war against Spain, Sardinia, Naples, and even against Portugal, the ancient ally of Great Britain---to none of those would he desire their attention; though there was not one which would not in any good period of our history have been deemed a sufficient reason for calling forth all the energy of this country. But when we saw Geneva and Avignon given up to plunder and massacre, without even the shadow of pretence---when Genoa was revolutionized as the reward of unjust partiality to France; when Venice on no other ground than her obstinate adherence to neutrality, in the midst of surrounding hostilities, was attacked, subdued, and obliterated from the rank and catalogue of nations; when Rome was made the victim of pretences which add mockery and insult to savage cruelty; when every maritime neutral nation saw its commerce and navigation the prey of unbridled rapacity and avarice; when neither recent friendship nor the sense of reciprocal benefits, nor remoteness from the scene of European Politics, nor long and patient forbearance under every injury, foreign and domestic, could protect America in the enjoyment of that tranquillity which she had endeavoured to purchase by so many sacrifices; when even Switzerland herself was now driven to contend for her existence---the oldest Friend and ally of France---venerated by all surrounding nations as the first asylum of liberty in Europe---respected always in the midst of the fiercest contests, as the inviolable sanctuary of peace, industry and virtue:---when such was the present conduct of France, might he not ask the noble Lord himself, whether it did not demonstrate one invariable and uniform system, pursued alike against every nation, hostile or friendly, in peace, in amity, or in league, but always most inveterate against those Governments which best provided for the happiness of their subjects?

From these topics, the noble Lord had gone into a discussion of our domestic policy---Our finances had been represented as exhausted, and the system of voluntary contribution had been totally condemned. For his part, if he had thought the resources of his country exhausted, he should have been reluctant to declare and proclaim it, at a moment when, even by the confession of the noble Lords themselves, France had haughtily rejected every idea of Peace. But he thought the fact was otherwise. He saw, indeed, great burthens necessarily imposed, but he saw an ability and a spirit to bear them, and even to open fresh resources from voluntary donation. A mode
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which, though the noble Marquis (Marquis of Lansdown) had now condemned, had at a former period been applauded in a memorable speech from the throne *, which, if the noble Marquis would take the trouble to turn to it on the Journals, would probably refresh his memory, and at least satisfy him that there was once a great minister in this country, who entertained very different sentiments on this subject.

With respect to our general situation, the noble Duke had asked, whether we had not sacrificed some of the strongest bulwarks of our public freedom? He replied with confidence that we had not—Parliament had performed its duty, in restraining the progress of sedition and treason, but no restraint was imposed upon the liberty of any faithful or loyal subject.

The necessity of any remarks upon the subject of Ireland, was wholly precluded by what the House had heard from a noble Lord (Lord Downthire) who spoke with all the authority due to his thorough knowledge of the subject, to his deep interest in it, and to the firm and manly part which he had personally taken in support of the laws and constitution of his country, and of the lives and properties of his fellow-subjects. He completely agreed with that noble Lord, that there was no salvation to Ireland, nor any chance of preserving its connection with Great Britain, but in the pursuit of the present system. Much had been said about conciliation, and one noble Lord had gone so far as to assert, that even if there were a disposition to conciliation, it would not be received at the hands of the present ministers; as if we were really to believe, that when the committees of assassination deliberated about the plunder of a house, or the murder of a magistrate, they first enquired whether the noble Marquis or the noble Duke had yet been named to the situation of minister in England. If conciliation to them was meant, he knew of none which could succeed: conciliation to Ireland had been invariably pursued by the English government, but particularly by the present ministers. Almost the first act of the present Chancellor of the Exchequer, had been to offer to Ireland a liberal participation of the British market, at the hazard of all his popularity in England; and though the whole mercantile and manufacturing interest was taught to clamour against him, for sacrificing, as they said their prosperity to the interests of Ireland, that boon was rejected by the Irish Parliament, under what had been truly called the

* Speech from the Throne, 26th November, 1782, when the Marquis of Lansdown was first Lord of the Treasury.

silliest delusion ever practised on the councils of any nation. Since that time the conciliatory disposition of the ministers towards Ireland had shewn itself on every occasion. Speaking even of conciliation to large bodies in Ireland, it was not unknown to any man acquainted with the subject, that their opinions had in one instance out-run those of some of the best informed and best disposed men in Ireland. In the present moment, he was satisfied that the only real conciliation to Ireland, was to protect the lives of its Magistrates, to defend the property of its inhabitants, and to maintain its domestic laws, and its imperial connection with Great Britain.

Such were the grounds on which the present motion had been supported. It had been imputed to Ministers, but wholly without foundation, that they had made the foolish and arrogant declaration, that except themselves, there were no men in the country of sufficient talents to conduct Government, and of sufficient loyalty to be trusted. For his colleagues and for himself he disclaimed such an assertion—He knew, that among the numerous ranks of those who had supported the present system, there were many men of the highest integrity, character and talents; many men of abilities much superior to his, and to whom, whenever it should please his Majesty to place them in his situation, he should readily give way, knowing as he did the steadiness of their principles in support of the same system in which they had hitherto concurred; though even then, he feared it would not be without some secret regret, that he should see himself no longer thought worthy to share the dangers and to partake of the honour of the present contest. When he had said thus much of himself, he must assert with respect to his colleagues, that he knew not where there could be found, even among all the supporters of Government, men better qualified in honour, integrity, talent, and virtue, to fill the arduous situations in which they are now placed. But allowing for a moment, that such a change were made, would that answer the purpose of the present motion? It would not—the choice must therefore be confined within very narrow limits. The noble Duke had excluded himself and his immediate party—he had indeed offered support to those who would accept office on the conditions he prescribed; but he had said, that if they took it, he should admire their courage. In this Lord Grenville said he completely agreed—to rely on such support so offered, and for such measures, would indeed be an act of desperate courage; and if the present motion was agreed to, he thought Parliament must adopt
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the recent law of the *Dutch Convention*, which sentenced every man to transportation who refused to be a Minister.

The noble Lords retained their own opinions in favour of *Radical Reform*; but these, apparently, for some reason of management or intrigue, seemed to be put less forward in this night's debate than they had been before—the light was thrown on other parts of the picture, while this was shaded over, and kept with care in the back ground. Still, however, it was there. The noble Duke had expressly declared, that he would never belong to any Government that did not carry through this *Radical Reform*. And he had concluded his speech with pompous imprecations on himself, if ever he consented to act with the present Ministers, whom he justly considered as hostile to it. The noble Duke might be assured, that whatever dislike he might feel to their system, it could not possibly exceed the settled detestation which they entertained for the principles and conduct of *Radical Reformers*, though they might not think it necessary to express their sentiments in the tone or language of tragedy. Their opinion of *Radical Reform* was the same which had long ago been delivered by Condorcet, a great authority on the subject of revolutions, but who had not discovered the art of so guiding the storm which he had contributed to raise, as to escape becoming himself one of its earliest sacrifices. When Condorcet announced with joy, that the patriots of England were labouring in that cause, he added, that from such reform, the transition would be short indeed, to the establishment of a complete republic.

The noble Duke consented, however, that the new Ministers should postpone the question of reform in England:—But in Ireland, probably because the danger there seemed less, or the objection weaker, he required that it should immediately be carried. Nor was this all—peace must be procured with France, notwithstanding what had been confessed of her inveterate hostility to us: and a noble Marquis had said what he seemed to think matter of much indifference to the House, though to the new Ministers it might be an object of some consideration, that the peace must be made, though those who made it would probably be hanged for doing so.

The principles on which such a peace was likely to be concluded, might easily be collected. In addition to all that the noble Duke had said, of the injustice and wickedness of the war which this country had ventured to maintain for its own defence, the noble Marquis had given the House an estimate of the value of our foreign possessions, which he had described as a load and burthen on the shoulders of this country. Combining

binning therefore these two principles, learnt from the supporters of the present motion, the new negotiator was to proceed to France. He was, in the first instance, to make our humble apology to the Directory, for the insolence in presuming to defend ourselves, to express our deep regret at our injustice, in maintaining against their will, our properties and lives, the constitution and independence of our country; and to assure them of our sincere and contrite repentance for all the bloodshed and carnage which their wickedness had occasioned. To such an address it could not be expected that much favour would be shewn. If we had any interests to maintain in such a negotiation, we should undoubtedly be told that we had confessed our own crimes, and must abide the punishment which France imposed. We might, however, perhaps, expect at last, that the Directory, taking some pity of us, would agree to deliver us from part of the burthen under which we labour, they might possibly have the goodness to relieve us of Jamaica; to take upon their own shoulders the defence of our Indian possessions, perhaps even to discharge us of the whole weight and load of Bengal. And though it was true, that by these operations we should lose the best part of our commerce, more than half our revenue, and nearly the whole source and supply of our naval strength, we should certainly remain a light, disburthened, and well-compacted power, peculiarly able to resist the future enterprizes of the Directory, and to defend ourselves against that which even the noble Lords had described as the summit of human misery, subjection to the present Government of France. If these were the principles upon which the peace was to be made, he seriously believed the noble Marquis's prediction would be literally verified—the Ministers who made it (whoever they might be) would certainly be *hanged*, and he was sure they would deserve it.

With respect to Ireland; the difficulty might be greater. The noble Lords had appeared to feel, how impossible it was to persuade the House that the reform of Parliament, and giving the little that remained to be granted to the Catholics, could answer their description of the effects to be produced by conciliation; they had therefore protested against being obliged to specify any particular terms of conciliation, but had defined it to be, in one word, the giving whatever Ireland wants. Supposing therefore for a moment, that a Parliamentary reform in Ireland was easy as it appeared difficult, and that the other measure could be adopted in its full extent without an act of treason, there would still remain for the new Ministers to discover, and to grant, what Ireland wants. He was apprehensive that
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the wants of different classes of persons in that kingdom, would be found not very consistent with each other. The landed gentleman, the merchant, the farmer, and the industrious artisan, would probably want to preserve their property; the juryman and magistrate would want not to be butchered; the faithful and loyal subject of every class, would want to preserve his allegiance to his Sovereign; while the conspirator would want to destroy all property, to place the life of every man at his mercy, and finally, to subject his country to the domination of France.

It was to resist these principles that his colleagues and himself were desirous to remain in office; willing to concede their situations to others, if by others more effectual resistance could be made; but ready to expose themselves to every danger in defence of the laws, constitution, and independence of their country.

But the House had heard that night another matter of no slight importance. The Corresponding Societies in England had been mentioned—what those Societies were, he need not remind their Lordships—Their publications, their meetings, their declarations, were in the memory of every man. A criminal had lately been convicted at Maidstone, of attempting to seduce the troops, and he was found to belong to these societies. A noble Lord (Lord Downshire) had told them, that even the United Irishmen would not have proceeded to the lengths they had, without the encouragement of these societies. In one word, he could distinctly state, that, in every corner of the King's dominions, whatever sedition or treason could be found, whatever incitement to domestic tumult, whatever encouragement to foreign invasion, to these societies it was uniformly to be traced. Yet with these very societies, it had been stated by a most respectable Member of that House (Lord Mulgrave), that the noble Duke and his party were suspected to have formed a mysterious and enigmatical connection. He trusted, that before the House separated that night, this suspicion would be cleared up; that they should hear this mystery unfolded, and this enigma resolved. He hoped it was impossible that any Member of that House could have the smallest difficulty in clearing himself from such a charge; in disavowing it openly, or in explaining it to the satisfaction of his country. *He called solemnly on the noble Duke to do so.*

For himself, and those with whom he had the happiness to be connected, he had explained to the House the motives of their conduct. It was for their Lordships to decide upon them; be that decision what it might, it would not affect the

principles on which they acted: anxious only to bear their part, whatever it might be which was assigned to them, in that noble stand which placed their country at the present moment in a state of greater consideration and respect in Europe, than ever she had acquired at the head of the most triumphant league. If they were anxious for glory, it was for the glory of having stood foremost in that resistance, first in labour, first in danger, and he trusted, not last in honour; animating their country to its ancient spirit, and enforcing to the utmost the necessity of that resistance which, if steadily persevered in, he was confident would withstand a torrent that had torn up by the roots whatever had once bent before it.

The *Marquis of Lansdown* in reply said, the noble Lord derived no inconsiderable aid from a loud voice, a confident manner, and an authoritative air, the usual concomitants of office; but nothing of the sort should alter him from maintaining and reasserting, what no misrepresentation could do away. He once more, therefore, troubled their Lordships in order to deny the noble Secretary of State's argument, in most of what he said respecting his declarations in the course of his former speech that evening, and to protest in the most solemn manner that what he had said he should be ready to repeat upon his death-bed, and suffer his salvation to depend upon the truth of it. He contended that it was not the interest of France any more than it was that of this country to divide the German empire, and dissolve a number of the small independent states which were so many years the bulwarks, and preserved the balance of all Europe, and to divide them so as to add them to three or four great powers. To this, however, the Republic was driven. Great Britain had refused them reasonable terms of peace, which they certainly were anxious to obtain, and their only alternative was to hang round the Emperor, and make the best terms they could with him. It was a mistake to suppose, that when he said opportunities of making peace had been omitted, he referred to the time of the atrocious tyranny of Robespierre. It was, however, probable, that advantageous terms might have been made even then: from his own knowledge it was as clear to him as noon day, that they might have been obtained in 1792 and 1794; and he saw no reason to think an advantageous Peace could not be concluded at this moment. Ministers might assert what they pleased, they might *run their rigs*; and by their omissions it had occurred, amongst innumerable evils, that what were formerly the small bulwarks of the balance of power in Europe were now grown into great masses, and no longer serviceable to the general interests of
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the empire, or useful in preserving the peace of Europe. With regard to what he had said relative to the Bank voting a subscription of 200,000*l.* he was ready to admit that he might be misinformed, but he had been assured that the Company's counsel was not present, and if so, it surely was a very hasty measure for managers for others to adopt even with the concurrence of the few proprietors present. His Lordship concluded, by lamenting the dangers of the present contest, saying, that in a few months it may be a question, about the People's Liberties, their Lordships' Properties, and God forbid it should ever touch the crown !

Lord *Grenville* rose for a single moment to explain. He said he could not take upon himself to assert that the Counsel of the Company of the Bank of England was present when the question of voluntary subscription was brought forward at the general court. He had been assured that the Directors had taken legal authority as to the propriety of the measure, and that legal authority he believed to be the Solicitor of the Bank.

The *Duke of Bedford* rose in a very exhausted state, and said, he would not at that late hour have trespassed on their Lordships' patience with a word of reply, had not some insinuations been thrown out in the course of the debate, the impressions of which he could not suffer to go out into the world without some answer. He was extremely glad to be present to do himself justice, but if he even wished it, he was not able to detain the House long. He would just observe that the noble Secretary of State had again been driven to his usual miserable shifts, he had again endeavoured to assimilate his own fate with that of the House and the Country, in order to avert the vengeance of an irritated and injured people. His Grace trusted that his arguments would rest on the mind of the House, such as he had adduced them, not such as they had been misrepresented. He was now more than ever determined not to trouble them any more ; because his conduct, and not the distresses of the country (the subject before their Lordships) was made the matter of discussion. He did not wish any longer to amuse the people ; but to teach them to turn their eyes to the conduct of ministers which would soon induce them to resort to other persons better qualified for the task of governing them. He felt no surprise at being calumniated by the noble Secretary, indeed he expected it from him. But it did surprise and grieve him to have such insinuations thrown out against him by noble Lords of independent minds, who must know they could not be true. They would best judge whether he had formed any mysterious

Mr. *Wilberforce Bird* doubted whether these taxes could be raised, because in many respects the payment of them might be evaded by the new Assessment Act. For instance, the clause of that act which accommodates the new occupier of a "new house," with exactly the same charge for windows which he previously paid for his old and former house, would operate against the purposes of this act, because the man who rented a house of six windows before the act, or since its operation commenced and afterwards became tenant to a house of sixty windows, might take an advantage of it, and be compelled to answer for the payment upon no more than six windows.

After a short conversation between the *Chancellor of the Exchequer*, Mr. *Huffey*, Mr. *Bird*, and Mr. *Burden*, the *Chancellor of the Exchequer* moved several resolutions for abolishing the old taxes as they stood; which were carried. He then proposed several other resolutions for substituting a consolidation of the old assessed taxes, which the additional duties, which were all carried, and the report ordered to be brought up the next day.

MAROONS.

Colonel *Walpole* said, he should move for a Committee, to take into consideration a petition presented to his Majesty from the Maroons, in the island of Jamaica, a copy whereof he supposed, had been laid on the table of that House.

The *Chancellor of the Exchequer* said, that the petition presented to his Majesty was lost, but he would not object to any motion concerning it, which the honourable Member might think fit to make, for an address to his Majesty on the subject, yet he desired it might be well understood, that, before he gave his consent to any further resolution thereon, he must be convinced that the original might be authenticated by some official authority before any measure were taken or adopted on the copy.

The *Speaker* was of opinion that no motion could regularly be made concerning a copy, the original whereof was not authenticated by some official document.

After some further conversation, Colonel *Walpole* gave notice, that on Thursday next he should move that the treasury entered into between General *Walpole* and the Maroons be laid before the House.

The *Solicitor General* brought in a bill to continue and amend the Alien Act, which was read a first time.

On the motion of Colonel *Gascoigne*, the Committee for considering the Slave-carrying Bill was postponed till Thursday next. Adjourned.

The following is the Protest which was entered on the journals of the House of Lords, on the rejection of the Duke of Bedford's motion:

MARCH 22, 1798.

DISSENTIENT,

Because we feel it to be a duty prescribed to us by necessity and dictated equally by our love for our country, and by our regard for the person and dignity of the King himself, to declare our solemn and conscientious conviction, that nothing short of an immediate dismissal of his Majesty's present Ministers, and a change of the system on which they have conducted the Government, can enable us to support our present accumulated distresses, or afford us a chance of averting the dangers with which we are on all sides surrounded; and which, if not encountered with adequate fortitude and wisdom, threatens certain ruin and dissolution to the power, laws, and liberties of these kingdoms.

BEDFORD,

NORFOLK, E. M.

HOLLAND,

PONSONBY,

THANET,

DERBY,

TANKERVILLE.

HOUSE OF LORDS.

FRIDAY, *March 23.*

Lord *Maira* rose, and said, he understood that a noble Lord had thought proper to give some pretty round contradictions to the statements which he had formerly submitted to the House respecting Ireland. He had come to the House that day for the purpose of replying to those contradictions, but he had not the good fortune to see the noble Lord in his place, He should therefore reserve what he had to say till his Lordship should attend. Adjourned.

HOUSE OF COMMONS.

FRIDAY, *March 23.*

Mr. *Tierney* moved, That an humble address be presented to his Majesty, praying that he will be graciously pleased to give directions that there be laid before the House a list of all pensions granted since the 1st of January, 1792, together with the names of the persons to whom they are granted, and specifying the amount of each, &c. Agreed to.

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He then moved an address to his Majesty for similar directions to lay before the House an account of all expences incurred in consequence of the civil establishment in Corsica, distinguishing the appointments, and the salaries and emoluments attached to each. As also of the military appointments, not including promotions, &c. Agreed to.

He made similar motions with regard to our establishments at Ceylon and the Cape of Good Hope, which were also agreed to.

SLAVE TRADE.

Lord *Muncaster* observed, that as he understood the motion for the abolition of the Slave Trade was not to come on on Monday, he begged it to be understood that it should come on positively on Friday.

The *Chancellor of the Exchequer* said, he did not know whether his honourable Friend (Mr. Wilberforce), would find it convenient for him that the matter should stand positively for Friday, and he was not aware of any right of one Member to change the day on which a subject was to come on by the notice of another.

The *Speaker* said, that as there was only a notice and no order before the House, the House had no power over it, and nothing that one Member could say in the absence of another could be binding on the honourable Member who had given notice.

Mr. *Hobart* brought up the report of the Committee upon the new modelled Assessed Taxes, which was read a first time.

On the second reading of that part which relates to taxed carts or carriages,

Sir *Charles Bunbury* took notice of the resolution relative to taxed carts, upon which, if the intended duty was imposed, it would be a great hardship, not only in particular districts where they were much used, but throughout the whole kingdom, and many persons above the rank of tradesmen, kept these vehicles for the use of their servants, and therefore they ought not to be taxed as carriages.

The *Speaker* observed that the proper place to make objections to the measure would be in the Committee on the Bill, after it should be brought in.

The *Chancellor of the Exchequer* observed, that many persons in the highest situations in life, used to evade the duty on single horse chaises, by writing taxed cart on the back

of

of them. It was necessary, therefore, to prevent this, and not to suffer persons to use for pleasure those things that had been exempted from duty on account of their being employed for purposes of industry.

The other resolutions being read, they were all agreed to, and bills ordered to be brought in on the same. It was also ordered, that it be an instruction to the persons appointed to prepare the bills, to make a provision as to the repeal of the Clock and Watch Tax.

The Committees of Supply and Ways and Means were put off till Monday. Adjourned to Monday.

HOUSE OF LORDS.

MONDAY, *March 26.*

Received from the Commons a number of private bills, which were all read a first time.

STATEMENT RESPECTING IRELAND.

The House was more than usually attended to hear the explanation between the Earl of Moira and the Marquis of Downshire respecting the statement which the Earl of Moira formerly made of Ireland, and the manner in which that statement was taken notice of in the debate of Thursday last in the House of Lords by the Marquis of Downshire.

The Earl of *Moira* opened the subject to the following effect :

My Lords, I had not the honour of attending this House on Thursday last. In fact, I voluntarily abstained from being present at the discussion of the motion that day brought forward : —not with any difference of opinion with regard to the positions then laid down by the noble Duke, and as to what he imagines to be the sources of the difficulties of this country, on the contrary I agree completely with him in every point and argument that he advanced, and pressed upon your Lordships ; but it was difficult for me to concur with him in his motion, shaped as it was, there were parts of it that I could not reconcile to my mind, and that was the reason for my not attending this House on the discussion of that subject. I now consider it something like a misfortune that I did not attend ; for had I attended, most probably I should then have taken such a share in the discussion of one topic that was incidentally brought before your Lordships as would have precluded the necessity of my calling your attention to it at this moment.

I collected from the papers, and indeed I heard from persons who were present at your debate on Thursday, that a noble

Lord who is now present controverted the statement I had the honour of laying before you some time ago respecting the situation of Ireland. I was told here that it was a subject fit, not for the consideration of this House, but for the consideration of the Parliament of Ireland. I afterwards went to Ireland, and attended the House of Peers there for the express purpose of reiterating that statement, conscious that it was a place where the documents might have been fairly contested; where I could have brought the deponents to the bar of the House to have proved what I advanced. Your Lordships have heard how that subject was disposed of.* After that I did not expect that any thing that might have been started in this House would have given occasion for any noble Lord to call in question what I there asserted. I now desire your Lordships to recollect what I did assert, and if necessary, I will again state how my assertion was supported. I did assert that the lights were forced to be put out at a certain hour by the peasantry, and I quoted an instance, in my opinion a remarkable one, of the truth of that assertion; I then said, and I say now, that what happened at one place might have happened at many others, as I believe it did: I stated that terror had been employed to force confession from individuals against themselves, or rather against their neighbours, and that even torture had been used for that purpose, such as picketing, half-hanging, &c.; I stated that houses had been burnt most wantonly, without the least necessity, and that in prodigious numbers. I stated all these things in this House, and in another where I might have been contradicted with effect, if that was possible in the House of Lords in Ireland. I stated that I had the affidavits of one hundred persons to support the truth of my assertion with regard to these enormities: I stated that the deponents were ready to come forward to the bar of the House to prove the facts; but that I had a particular reason for not entering into the shocking and odious detail, unless called upon to do so. Your Lordships will, I am sure, easily comprehend that reason. In the irritated state of Ireland I thought it incumbent on me to desist from any thing that might tend to exasperate that country. The same duty calls upon me now to abstain, as I did then; I shall, therefore, unless forced to a contrary conduct, restrict myself to the bare re-assertion of these facts: but if I am called upon by a denial of this assertion, to enter into the detail, I shall, in my own vindication, read, as a part of my speech, the affidavits to which I have alluded. If I shall not be so called upon, I shall content myself with giving into the hands of the noble and learned Lord upon the woolsack these

* For the report of the debate on this subject in the House of Lords of Ireland, see the Appendix.

affidavits, without stating any thing of their contents. If I am forced to go into the particulars of these affidavits, I shall stand exculpated; but let this be recollected, that I do not wish to inflame the passions of the public, nor do I like to state any thing upon slight conjecture or loose authority. I stake my personal credit that I can prove my assertions. I am now ready to prove them. But whoever contradicts me has no right to the advantage of better terms than those to which I am willing to restrict myself; he must stand the same risk that I do; that is, that the consequence of the dispute shall be imputed to the fault of him who fails to prove his assertion. I was told that I ought not to reply to any thing I saw stated in the newspapers relating to the speech of the noble Marquis, whom I am now happy to see in his place, but I have information of that speech from a quarter which I can rely upon; and now I call upon the noble Marquis to furnish me with the substance of what he meant to advance upon this subject on Thursday last, or to state that which he thinks fit upon it at this time. It remains for his Lordship to say, to what I am to reply.

The Earl of *Hillsborough* (Marquis of *Downshire*) spoke nearly as follows:

My Lords, I rise with great concern and feeling to address your Lordships upon this subject. It would have given me great satisfaction not to have this subject agitated here. As peers of a British House of Parliament, we have, as I conceive, no right to discuss this matter; it concerns the Executive Government and the Parliament of the sister kingdom. I am afraid that discussing the matter here leads to nothing but danger; but, however I am ready to meet the noble Lord to discuss it in any way he thinks fit. I am sure he can have no improper motive for having taken it up, nor any idea of ill will towards this country, or to that of the sister kingdom; but his zeal has perhaps led him too far in his resentment against the Executive Government; I am ready to admit that some of the army of Ireland, perhaps some undisciplined troops, might have done something wrong. But whenever they did wrong, I will venture to say they did not act according to the order of the Executive Government. The noble Lord in his anger against Government, has suffered himself to be led into an attack upon them though the medium of the army, who, he has alleged, have ill treated the people of Ireland. I am extremely happy to know, that by the explanation the noble Lord gave in the Parliament of Ireland, he has satisfied the army, and set himself right again in their opinion; in which and in that of the people of Ireland, the noble Earl had always stood in the highest degree of consideration and esteem. I allow that part of

The army of Ireland might have committed excesses in some instances. These excesses have been exaggerated in some newspapers. The noble Lord may remember that this was the case in the American war, in which he served with such benefit to the country and such honour to himself; he must recollect how the opposition newspapers abused the army under his command there for their outrages and cruelty. I cannot forget what some of these papers said relative to the fate of the unfortunate Colonel Haynes, and when the noble Lord was himself a prisoner, his friends at home felt great apprehensions lest he should fall a sacrifice to the law of retaliation; at that time I had myself the honour of being better known to the noble Earl. To what I am to ascribe the loss of the happiness of his acquaintance, I really know not. But the noble Lord, when he expresses his anger against military excesses, would do well to recollect how difficult it is, in some cases, to restrain them.

As to what passed in this House on Thursday last, I was called upon to take notice of what was stated by a noble Lord who preceded me in that debate; that noble Lord said, "he would defy any noble Lord to lay his hand upon his heart, and say that any coercive measures had had any good effect in Ireland." I was there nine months last year, in the centre of the kingdom, and in the centre of a place where there were many enemies to their country. I saw what passed: I attended to it, day and night. I was one of the first, and I will never disown it, to advise the Executive Government, to take strong measures against its enemies. I saw the necessity of it, and I shall never be ashamed of what I did upon that occasion. I was the first to recommend to Executive Government to issue the proclamation which was issued in the county of Down. I say then, and I say now, that the people called the *United Irishmen*, held forth a necessity of an emancipation of the Catholics, and a Parliamentary reform, as a stalking horse to delude the vulgar, and to deceive the ignorant. Very different sentiments, however, were entertained by the reflecting and respectable part of the people of Ireland upon that subject. I say further, that I never knew a Catholic of knowledge or education, who was a friend to what was termed unqualified Catholic emancipation; nor an enlightened Presbyterian, who was an advocate for radical reform. The *Curfew*, of which so much has been said, was nothing but a mere tolling of a bell, to warn the inhabitants to put out their lights at a certain hour in the evening, and that practice was enforced only in the proclaimed districts. As to the *Proclamation* that

was

was issued, and which has been complained of so much as an engine of terror ; I can only say, that I believe it was no terror whatever to the good ; but was a protection to his Majesty's liege subjects, in their persons and properties, and was agreeable to the wishes of all those who did not wish to make Ireland a province of France.

I lamented I had not the honour to be here when the noble Lord made his former speech, because I should then, in better time than any other, have had an opportunity ; and I should have thought it my duty to have stated many circumstances in answer to the speech of the noble Lord. I consider Belfast, my Lords, as the seat of rebellion, and yet, such is the effect of the system which has been adopted by administration in favour of trade, that there has been no falling off in the Customs or Excise there, which shews that the oppression cannot be as it has been stated by some.

The Marquis read some authentic documents, a statement of the imports and exports, excise and customs, of Belfast ; the customs of which, in the most flourishing state of that town, in the year 1795, amounted to 101,000*l.* and the last decrease on the same was no more than 7073*l.* It appeared that Belfast and Cork were the only towns that had suffered a defalcation of the receipt of their customs since the war commenced. Whereas the city of Dublin had benefited by an increase of 8000*l.* Limerick, Waterford, Newry, and other ports, had had a proportionate and almost equal increase. His Lordship stated, that the principal reason of the decrease of customs in Belfast, was that of a less quantity of rum having been lately imported into it ; a circumstance, which, as an Irishman, he rejoiced in, and considered as an important national advantage, since the cause of it was the great increase of distilleries, in consequence of the rapid improvement that was daily making in agriculture in Ireland.

He then proceeded.—As to the misbehaviour of the military, I am ready to admit, there has been more of it than any friend of Executive Government would wish to see ; but that is not the fault of Government, nor is it the fault of General Lake ; an officer who equally understands and preserves the true interests of the North of Ireland, and has the respect and esteem of every good man. I had the pleasure of assisting General Lake several times in his endeavours to quell the disturbances of the country, and a more benevolent or amiable gentleman I never had the honour of knowing. I found him to be a brave, steady, and skilful officer, adored by his army, and
respected

respected even by the traitors themselves. I am sorry that the military have misbehaved ; but I am sorry also that they had so much provocation ; it should however be remembered that a soldier is but a man, liable to the fury of passions as other men are. As one instance of the provocations which had frequently urged the military to commit excesses, I will mention the instance of the office of the Newspaper printed in Belfast, called the Union Star, having been destroyed by soldiers belonging to a regiment which had been libelled and insulted by that paper. Besides, that regiment felt irritated, and had been desirous of shewing its regret at some of the men belonging to it having been seduced from their allegiance. They carried an advertisement to the paper, expressing their sorrow, their shame, and their contrition for what they had done. The Printer threw the advertisement at them, and would not insert it. Afterwards a party, enraged at such treatment, went to the office and certainly destroyed all the materials ; but they submitted immediately to their officers, and suffered the punishment due to their outrage. A regiment saw eight or ten of their comrades shot. Pamphlets and hand-bills were attempted to be distributed among them, and newspapers were printed to induce them to quit their duty ; upon which some of them committed excesses, for which they were afterwards sorry, and expressed contrition. I believe that many of the military committed excesses ; but I deny that such excesses should be imputed either to the whole army, or to the Executive Government. I will not trouble the noble Lord with many farther observations. I admit that some of the soldiers have misbehaved, but for one affidavit, which the noble Lord can produce, of the excesses of the *Soldiers*, I can produce twenty affidavits of the atrocious cruelties of the *United Irishmen*. It was once a watch-word to say, and it was printed in hand-bills, posted on doors, slid under them in the night, and well understood---“ Go to Connaught or to Hell.” The soldiers, therefore, were disposed to retaliate upon them for the punishment of their misguided comrades, seduced by their manoeuvres. But it was never found that any officer partook in those excesses ; and, on every occasion, the Government was zealous to suppress and punish them. No one, I believe, will question the character of Lord Blaney as an officer or a gentleman, who, in the Irish House of Peers, expressed opinions similar to mine, in which he was supported by the Earl of Cavan. I will not trouble the noble Lord to make any farther statement. I admit again that the soldiers have acted irregularly, but if they have

have been punished I never can admit that this is evidence against the whole army, or that these excesses were committed by the order of the Executive Government, or by the consent of their officers. They never did any thing without being amenable to a court martial.

As to myself, I ashamed to say any thing to detain your Lordships for a moment; but I must observe, that by performing my duty I became the object of the hatred of the wicked, and there is a man now in gaol under the sentence of the law, for having conspired with others against my life; the Jury were so satisfied of his guilt, that even the eloquence of Mr. Curren, exerted for two hours, could not save him. I can only add, that I will never flinch from my duty, and if the noble Lord chuses to go on, I must proceed also; but I deplore the farther discussion of a subject, which not being agitated with any advantage to the public, must inevitably do mischief.

Lord *Maira* said, that it now appeared the Noble Marquis had no intention to contradict the statement he had made. He therefore was freed from the necessity of proceeding as he had intended, to prove his assertions; but some things which fell from the noble Lord deserved an observation. What did he mean by coercion? If the case of Ireland could be compared with that of the low countries——

The *Earl of Carnarvon* called Lord *Maira* to order, begging the noble Lord's pardon for interrupting him, but hoped that he should appear justified in endeavouring to put an end to this very irregular proceeding, by the opinion of both the noble Lords engaged in this conversation; for the noble Earl who brought forward the subject, as well as the noble Marquis who felt himself called upon to say something in reply, both concurred in admitting the danger, and in deprecating the discussion. The noble Earl on a former day thought fit in his discretion to enter into this subject at large, on the propriety of which many persons then differed with the noble Lord; he has now taken occasion from some supposed difference of opinion between him and the noble Marquis, to tender proofs in support of the opinion he had then delivered. There can certainly be no need of such proof; no person doubts the noble Earl's persuasion of the truth of the facts which he had thought fit to state the publickly; and it appears manifest by the number of affidavits, that he had taken pains not to be deceived; but the noble Earl seems to entertain a very singular opinion, to which I can by no means

means subscribe, that when he has been at the trouble to collect proofs of any fact which he ventures to assert on the strength of such evidence, no man has a right to a contrary opinion unless he is able and willing to support it, at least with an equal number of affidavits. It seems a little hard that I should be compelled to admit the facts asserted by the noble Lord as incontrovertible; if I am not disposed to join issue with him, and enter into the investigation of a subject which both he and I agree to be of a delicate nature and of dangerous discussion; as no person doubts that the noble Lord believes the facts he has stated, I trust he will not imagine that he has a right to force every difference of opinion to an issue which is not necessary, and is confessedly attended with infinite danger in these perilous times.

The *Earl of Moira* contended, that in this explanation he had not exceeded the bounds he first proposed to himself; he was well aware that any Peer could introduce all he wished to say upon a subject, while professing to speak only to a particular part of it. It was a species of artifice which he despised; and to prove this, he would then content himself with putting into the noble and learned Lord's hands the documents he had spoken of. He had only one observation to make upon them—that they did not relate to any casual or accidental excesses of the troops, respecting which Government could not fairly be blamed; they were of a different description; one particularly related to—Here his Lordship was stopped by

Earl Strange (Duke of Athol), who spoke to order—He observed that the noble Earl was obviously entering upon a detailed discussion of this subject, topics which every noble Lord must feel the impropriety of then investigating: he wished their Lordships to recollect, that there was no question before the House.—He disapproved in the same view, of much of what fell from the Noble Marquis, and had once or twice intended to speak to order, as he was treading on very tender ground.—He then moved, “That the House do adjourn.”

Lord Carlisle said, there were two ways in which Lord Moira might communicate the information he wished—either by reading the affidavits as a part of his speech, or by laying them upon the table of the House, but he conceived he could not possibly put them into the hands of the Lord Chancellor during the sitting of the House. When the House was up, he might put them into the hands of the Lord Chancellor or of any other individual.

Lord

Lord *Maira* replied, that if he laid them upon the table of the House, the necessary consequence must be, that they should be printed. What he intended was, as he said before, to deposit the affidavits in the hands of the Lord Chancellor, not while the House is sitting, but as soon as the House was adjourned; but the better to guide the judgment of their Lordships, he wished previously to state—

Lord *Grenville* submitted to the noble Lord whether against the noble Lord's own opinion, against the opinion of the noble Marquis, but above all against the opinion of the House, who were anxious to stop the agitation of so delicate and dangerous a subject, he would not forbear to say a syllable more.

Lord *Rawdon* acquiesced.

The question of adjournment was then put, and carried without opposition, and the House adjourned.

HOUSE OF COMMONS.

MONDAY, *March 26.*

A message from the Lords informed the House that their Lordships had agreed to several bills.

Lord *Stafford* reported at the bar, that his Majesty had been waited upon with several addresses of the House; and that his Majesty had been pleased to say he would give directions accordingly.

Mr. *Rose* brought up the bill to repeal the duties on Clocks and Watches, and for granting other duties in lieu thereof.—Read a first time, and ordered to be read a second time the next day.

Mr. *Rose* then said, that there were several provisions in this bill different from the former bill; and therefore he moved that it be printed.—Ordered.

Mr. *Shaw-Lesvre* moved, That it be an instruction to the Select Committee to whom the several papers relative to the distilleries of Scotland were referred, that they have power to inquire into the best mode of levying and collecting the duties on such distilleries.—Ordered.

Mr. *W. Dandass* said, that a doubt having been entertained, although he saw no reason for entertaining it, but it being entertained by higher authority than he pretended to, Whether his Majesty had power to call out a less number of the Scots militia than 6000.—And as it might be convenient to call out a smaller number at a given time, he should move for leave to bring in a bill to empower his Majesty to call out

176 WOODFALL'S PARLIAMENTARY REPORTS. [Commons,
what number he may think fit of the militia in that part of
Great Britain called Scotland.—Leave given.

The Committee on the Militia Pay and Clothing Bill was
deferred to that day se'nnight.

Some further extracts of letters relative to French pri-
soners were laid before the House, on the motion of Mr.
Hutchkison.

The *Secretary at War* brought up extrariordinaries of the
army not provided for by Parliament.—Ordered to lie on the
table.

Committees of Ways and Means, and Supply were de-
ferred to Wednesday.

Mr. *Hutchkison* said, that he should move the next day for
leave to bring in a Bill to empower his Majesty to give di-
rections as circumstances may require on the sea coast in case
of imminent danger.

Mr. *Tierney* wished to know more of the measure intended
to be brought forward.

Mr. *Hutchkison* said it was to empower his Majesty to di-
rect such measures to be taken as circumstances may require,
upon apprehension that the enemy may annoy us, so that the
live stock on the sea coast might be removed, and that it might
not be in the way of falling into the enemy's hands.

Lord *Belgrave* postponed the bill against treating at elec-
tions, until after the holidays.

Adjourned.

HOUSE OF LORDS.

TUESDAY, *March 27.*

The bills on the table went through their respective stages.

Several private bills were brought up from the Commons,
and read a first time. Adjourned.

HOUSE OF COMMONS.

TUESDAY, *March 27.*

The bill for enlarging and improving the harbour of *Leith*
was read a first time.

On the motion being made for the second reading of the
bill for encouraging Mr. *Bramah* by a renewal of his patent
for a certain kind of locks.

Mr. *Bardon* observed, that the manufacturers in his coun-
ty, and he believed in general throughout this country, were
desirous

delirious of having an opportunity afforded them of stating some very weighty objections which they had to this bill passing into a law. He would therefore move that the bill be read a second time that day se'n.night.

Sir *W. Pulteney* spoke highly of the merit of the patentee with regard to this invention, as well as of the necessity of encouraging inventors in general, for they were the men who were of the greatest use in society, as they enabled us to undersell our neighbours in foreign markets in various articles of our manufactures. Such men were and ought to be our national glory. He reminded the House, by way of illustration of his sentiments, of the benefit which the public derived from the encouragement that was given to Sir Richard Arkwright: for his part, he always wished to see genius protected and cherished, for nothing so much contributed to our greatness as a people, as the protection and encouragement that was afforded to genius. As to the time which was now required for the trade to oppose the bill, there was no pretence for allowing it; they had had full time already; besides, they might oppose the bill in any other stage, if they should think fit.

Mr. *Banks* was of opinion the manufacturers ought to be allowed the delay moved for. He had no wish to detract from the merit of any man, but the agreeing to his Hon. Friend's motion was, he thought, necessary to afford all parties protection and relief. And so far was he from recommending that the motion might be withdrawn, he wished it to be persevered in, and would give it his hearty support.

The House divided,

For the second reading, *Ayes* — 38

For the delay till Monday — 22

The bill was read immediately, and on the motion of Sir *W. Pulteney*, ordered to be committed to a Committee above stairs, which is to be an open Committee; that is to say, that all members have voices who attend that Committee.

A message from the Lords informed the House that their Lordships had agreed to the bill for increasing the rate of subsistence to be allowed to innkeepers and others on whom soldiers are quartered, and to several other bills.

The bill for declaring the validity of his Majesty's order in Council relative to prizes, &c. was ordered to be committed to a Committee of the whole House on Tuesday next, on the motion of Sir *W. Scott*.

Mr. *Terny* brought up a petition from the inhabitants of
 22 the

the parish of St. John, Southwark, for leave to be
to repair a road. Ordered to be laid on the table.

DEFENCE OF THE COUNTRY.

Mr. Dundas rose. He said, that in pursuance
given the preceding day by an Hon. Friend of his,
sented himself to the House to move for leave to
bill to enable his Majesty to take measures for the
tual security and defence of these realms, and to
parsons who may suffer injury in their property
ration of such measures. Stating the title of the bill
so explicit, he had no doubt, would at once give ge
an idea of the measure intended to be adopted. It was
sure of great importance, and he was aware that on a m
for a bill of so general a description, gentlemen would ask
he asked the question of himself. "Whether we are not
in possession of a navy, the wise distribution of which ough
be sufficient to render futile every attempt of the enemy
invade our coasts?" Than himself no man could be m
willing to admit that the naval force of the country was great
beyond any former period, and answered in every respect the
description which had been given of it by the world. But,
notwithstanding the splendor of our naval character, and the
undoubted bravery with which that splendor was preserved
pure and unfulfilled, in every contest, there existed at that mo
ment circumstances which would render it imprudent to rest
the defence of the country solely on one branch of its force.
Here again he would probably be asked, "Is not our army the
greatest we ever had? and can we not defend the country by
means of the regular force and the militia?" He was ready to
admit, that so far as the defence of the country could depend
on the regular force and the militia, it would be well de
fended; but even on these guarantees, great and powerful as
they were, he would not altogether rest our security and
safety. At no period of our history did a spirit of greater
zeal and loyalty distinguish the voluntary exertions of the
great body of the people, to maintain their rights and the con
stitution against an invading foe. In corps of yeomanry, of
county cavalry, of infantry, formed voluntarily by the people,
we had a force of from 60 to 70,000 men. These were
known friends of their country, ready to come forward in its
defence. He stated this, that it might not be supposed the
zeal and ardour of the country were exhausted; for the truth
of which assertion he would appeal to the experience of
every

every one who heard him. It was pleasing to him to meet every where with the appearances of the old English spirit; and he well knew there was a burning zeal in the people for the defence of the country. Every day propositions were made to him from every quarter of the kingdom, tending to shew how ardently the greater portion of the community cherished, along with a love of peace, a determined active spirit of abhorrence of an enemy whose gasconades they know how to despise, and whose arms they know how to resist. At a time when such a spirit characterizes the best, the greatest and the bravest of our fellow-subjects, with such a fleet, and such an army we might, said the Right Hon. Secretary, rest secure of the continued possession of all we value or hold dear. But while he felt these sentiments of confidence in the general disposition of the people, he should think that the Executive Government did not enable the zeal and spirit of the country to come forward in the manner most effectual for its own security, were a measure like the present not adopted and pursued. Satisfied as he was, that the voluntary spirit of the country would, in the hour of trial, burst forth irresistibly in magnanimous and useful exertions, still he knew well, that to act in concert and with the best effect, measures must be taken to systematize that spirit. At the approach of an enemy, in case of confusion, the consequence always of alarm, great mischiefs were to be dreaded, unless men had a general rule inculcated to them by which their conduct must be guided, and a banner unfurled, under which they must unite for their own and their country's defence. Taught to act in concert, the people would know how to use their strength, and do service; while the consequence to the country would be, that the Government would be able to raise a mass of force arising out of the state of the public feeling, whose usefulness in the hour of danger we should chiefly owe to these exertions, made to produce concert of action in the individual with the public spirit. Many reasons might be assigned for the zeal which distinguished the present period. It would be sufficient for his purpose to select one from among these: it was a reason which must reach the heart of every man who in his heart-entertained love of his country, namely, that we are fighting for the deepest stake that ever the country had at issue in any contest. This, indeed, was the opinion of great and wise men, stated by them even in the early stages of the French Revolution. By them it was stated, and entertained the same opinion, that principles inimical to the peace of

of Europe were avowed by the Revolutions of France. These principles, in fact, entered into the composition of all their public acts, and this country had received early warnings of their hostility to our Constitution and Government, from the multiplied attempts to introduce anarchy among us, and by the reception the emissaries of sedition and revolt, sent by traitors and fanatics in this country, met with at the bar of the French National Convention. It was true, the real object of these emissaries had not at the time been publicly avowed; but their affectation of mere love of liberty was only a cloak used to conceal their treasonable purpose, and to be worn only until, by a surer method, they could undermine the fabric of our constitution, blot out our laws, and consign the country to all the horrors of civil warfare. Happily, however, the evil spirit had at the time been observed lurking insidiously in the silence of the haunts sacred to sedition and the enemies of order: the Government was not inactive, and the country is not unconvulsed by the men then sprung by her incendiary offspring. He would not then enter into a detail of the Acts of the Parliament of the country, from which was to be inferred that such was the state of things at that period, he thought it enough to mention it generally; as little was he inclined to shew from these Acts, what were the apprehensions entertained of our safety. He considered it enough to state, that every man in the country, whose mind was rationally occupied in a contemplation of the present state of Europe and our own, thought that this country was fighting for its existence. But the zeal which it was his pride often to admire, would every where produce uniformity of integrity in the public welfare; and it would yet be seen that the force of the country became wonderful in proportion to the exigency, and the general spirit great in proportion to the danger. It was now his wish to state the object of the bill: in truth, it had two or three objects of importance connected with it. Already some counties had expressed a wish to adopt measures in their nature similar. In the county of Dorset a very noble and laudable spirit had been evinced, and propositions were made by the men of property which induced the Sheriff to hold several meetings, but as from the nature of his office, he can only call out the *potestas comitatus* in cases limited by circumstances of mere local urgency, these meetings had no other effect than giving a collected expression to the patriotism of that county. In other counties, the Lord Lieu-

tenants

tenants had done a great deal, but it was doubtful whether they could go beyond certain known bounds in the exercise of their authority, or do all that might be necessary to render the public force effectual. It was, however, the object of this bill to provide for every possible emergency, by giving a power to his Majesty that should enable him to discover who are the persons prepared to appear in arms, to embody them for their own defence, and finally to unite them in one common object. Another provision of the Bill was to see what number of the inhabitants of certain districts could be able to act as pioneers, or in the other laborious situations that arise in the progress of an army. In a crisis of real danger it would necessarily happen to many that motives of personal safety, or the natural wish of preserving their property, might lead men to withdraw from the service of their country; but in order that no person might be influenced to such conduct, the Bill would provide, that should the property of individuals be destroyed by a marching army, fall into the hands of an enemy, or be taken for the service of the country, indemnification shall be rendered according to its value. Other cases would occur where private property must be invaded; and it was a provision in the bill, that pieces of ground allotted to the purpose of forming batteries, or turned into parks for the artillery, should also be paid for. These arrangements would, he was persuaded, be considered useful. To provide an effectual check to the slightest disposition to withhold aid from the government, the surest method would be, that no person should be made liable to suffer by any aid thus given to the public service. The other provisions were that in the event of its being necessary to employ persons as pioneers, to remove stock, or assist in facilitating the carriage of military stores, proper compensation would be allowed them; and as in cases when the able-bodied men must be taken away for the public service, it would be hard to leave the old defenceless, the Bill was intended to give a power of embodying a portion of the regular militia, and employing it in their defence. In this way, and proceeding on these broad principles of justice, he expected, nay, he was confident, the spirit of the country would be exerted; and stimulated by the exertions every where making for the general security, the English people would know no other passion than was inspired by English valour, would know no meaner motive to pride and exultation but consciousness of exhibiting to Europe and the world the example, that while other nations

nations were over-run with the plundering armies of France, or torn asunder by commotions generated under the shade of French principles, there yet existed one small spot in the middle of the ocean, proud of its independence, proud of its constitution, its religion, and its laws, that, not more from situation than from the firm, united prowess of its inhabitants, was able to resist the shock. He believed there was nothing that could infuse confidence into a people, and make them feel their security depended on the measures taken for their defence, but the enabling them to unite to defend themselves: it would call forth the love of their country, already unequivocally expressed—it would enlarge this passion, and fill the individual with benevolent solicitude for the safety of his fellow, encourage to manly enterprize, and, as it were, recruit all his powers in the common cause. He would say once for all, that proper measures would be taken to discover where the intension was avowed to arm, what men were desirous to enrol themselves, and with what description to rank them, so that they might form a part of that system of operations which shall render the country totally invincible and impregnable. But while he said this, he was far from thinking there were not men in the country abandoned enough to vice: not to love the constitution, who were secretly planning means for destroying it, and who far from being trusted with arms, must be narrowly and diligently watched, lest by any means they should slide into the ranks and attempt to poison the loyal and well-affected. He was unwilling to agitate a subject that night which might occasion some Gentlemen not being unanimous, but he should be wanting in his duty to that House and the country, were he backward in declaring that there existed people who, by avowing *reforms* on delusive and vague theories, would aid the French; and that there were men who corresponded with the enemy on subjects and for purposes highly treasonable, he had no hesitation in avowing, because he knew it to be true. When he said this, he did not, however, mean to insinuate that all were criminal who entertained sentiments favourable to reform; it was not his way or disposition to throw out loose charges. He admitted that reform was a word that sounded pleasant in some ears; but without insinuating that all who wished for reform wished for it by means of French interference, (indeed he believed there were many of quite contrary sentiments,) yet he was certain the French had *lumped* all the reformers as their friends. In this, he thought the French wrong; and

and therefore it was that he advised Gentlemen to consider well, and inform themselves of the character, views, and sentiments of those with whom they are connected, and if they did this, they would find the present was not a moment to agitate the country by discussions, that far from providing for its safety, would only tend to encourage the enemy to attempt its ruin. It must, therefore, be obvious that however plausible associations for reform might be at other times, the present was not a period fit either to propose or discuss that question; but what would be the feelings of hon. Gentlemen when he had told them that there were many who had ranked as reformers who nefariously promoted the views of France. Having said this, he would not trouble the House with any further remarks on the subject of discussion, still he could not help again to remind Gentlemen that the country is fighting for its existence; and those who thought the friendship of France a basis of security, would, he was certain, be miserably disappointed. He would not refer them to the Netherlands, for there the aggressions of the French were early, and almost obscured by subsequent acts of unprovoked oppression and tyranny. The united provinces, Spain, Sardinia, Genoa, Venice, and ill-fated Rome, had been the more recent victims of their fury. Every nation, in short, that had approached its embrace, had suffered degradation or been ruined. It was impossible for him that night to describe the state of the nation (Switzerland) of heroes—of virtuous heroes, who struggled to preserve their neutrality amidst the convulsions of Europe, and who, because they had maintained their neutrality, were cruelly invaded, their towns pillaged, and the monuments of their freedom every where insulted, trampled on, or destroyed. These too were the acts of a nation, who at the moment they were pursuing their conquests of Switzerland, under the walls of Berne, gave it out in its proclamations, and announced it to its troops, that every battle gained was an advantage over England. With an enemy such as this to oppose, an enemy whose object could never be accurately known, who, in reality sought for nothing less than the destruction of our navy, the annihilation of our commerce, the overthrow of our constitution, and the overwhelming in one mass our laws, our religion, and our government. In short, an enemy who, envious of our ancient glory, envious of our lofty place in the annals of European fame, desire to efface all that characterized that ancient state, and obliterate for ever the traces of our present grandeur. But the proposition being a measure

which would tend to call forth the spirit of the country, to give direction and efficacy to that spirit, to rest its defence on the tried zeal, loyalty, and courage of the best and most intrepid of her sons, he was sure he need not say another word to shew the necessity of adopting it. He then moved—

“ That leave be given to bring a Bill to enable his Majesty more effectually to provide for the security and defence of these realms, and to indemnify persons who may suffer injury in their property by the operation of such measures.”

General *Tarleton* did not rise to oppose the motion, nor should he attempt to follow the hon. Gentleman into a discussion of all the points agitated in his very able speech. He was still less prepared to throw out insinuations in general and loose terms against men for holding particular sentiments of forms of government. Whatever might be the danger apprehended by Ministers, he believed there did not exist in the country any body of men exclusively attached to France. But he saw it with pain, that the country had been brought, he would not say by whom, into a perilous, but not a calamitous situation. The country abounded in military resources, which, if rightly managed, would enable it to resist any enemy. In his opinion, however, the best way of providing for our defence would be to examine the parts most vulnerable, and there put ourselves in a situation to appal the enemy. If the people wished to preserve their independence, if the House wished to be the representatives of an independent nation, such must be the plan of defence. But he was, at the same time, not apprehensive of immediate danger, and would put it to any man of military or naval experience, whether any experiment could be made on the coasts of England and Ireland for months to come. He could not be as well informed as ministers respecting the preparations going on in France; but it did not appear to him that they were such as could induce a belief in the probability of a speedy invasion. That they meant to make the attempt was evident from the manner in which armed vessels had been impressed into the public service, and the preparations otherwise going forward in their dock-yards and harbours. Much he had heard said elsewhere of the impracticability of a successful descent on our coast, but whatever was the situation of some places, he could not entertain a doubt of the practicability of a landing.

Thus

Thus impressed, and well knowing that the military operations of France were conducted on a plan different from that of any other European power, a plan which had abolished the old transport system, while it facilitated the debarkation of troops, this, joined to the consideration of the uncertainty where an enemy would land, induced him to recommend that all the attention of Government might be directed to the defence of the metropolis, in the environs of which he thought the efficient force of the country ought to be concentrated. It was no information to the French, that he was therefore in order when he stated, that between London and any part of the coast there was no fortified place to resist the progress of the enemy; yet since if they effected a landing, it must be on a district considerably distant from the metropolis, perhaps 150 miles, it would take them six days to accomplish their march, during which period an advantageous situation might be taken to defend the capital. He suggested this hint from a knowledge, that though the British troops could go through their evolutions as well as any troops can, yet if seen moving from cantonments to cantonments, and from camp to camp, the weight and nature of their baggage would materially obstruct their progress while the French were facilitating their operations. With respect to the driving of cattle and removing effects, he did not think it practicable; his experience in America being such as to convince him that what the Americans could not accomplish in a country thinly populated, and where every man's name was registered, could not be done in a populous country. Besides, the evils men must endure in such circumstances would be intolerable. Having said this, he trusted credit would be given to him when he declared he wished every thing for the good of the country. "I cannot," said the General, "give military lessons to Buonaparte, but I have hopes, after the war is ended, and I wish it may be ended honourably, I shall hear from Buonaparte himself a description of his battles, and that we shall have the pleasure of talking together over our campaigns; but in saying this, I cannot be misunderstood, as I mean nothing more than personal respect for a man of acknowledged valour, who has excited the admiration of every mind; and it is in the nature of a soldier's life to wish to talk over his stories with men who have shared its toils. Every man who hears me will, I trust, not imagine that while I can admire talents and venerate a brave man, I would court that General for a command

they must be very few. Whatever opinions might have been once entertained concerning the French, by numbers of people, he would venture to say that they were changed, and that scarcely any persons thought favourably of them at present. He knew also that many persons in a moment of warmth would say things of which they afterwards repented; and that those, who from their expressions might have been supposed to be favourable to the enemy, would come forward in a moment of danger, and defend their country. There was no circumstance that could serve to rouse the spirit and indignation of the country more effectually than the recent example of Switzerland; that indignation ought to be marked in the strongest manner by some public measure, and he was sure it would have a good effect both at home and abroad.

Mr. *Nicholl* said, he did not rise to oppose the measure, which had his approbation; but to declare it as his opinion, that all the exertions which could be made in consequence of this plan, could produce but little effect, if the present system of coercion in Ireland was continued. There was no chance of making any effectual resistance against the enemy, if with one hand the people of the sister kingdom were kept down and oppressed, while with the other the remaining part of the empire could be but feebly supported. It was necessary to remark, that since the late negotiations at Lisle, the French had concluded the treaty of peace with Austria; they had established a republican government in Italy, which, from its state of subjection to them, must become their ally; a complete revolution was lately effected by them in Holland, in order that the forces of that nation might be more subservient to them. The papacy was destroyed, and a republican government established at Rome. Naples and Spain were in danger of experiencing a similar fate. The French therefore might be considered as accumulating almost all the force of Europe in order to bring it to act against this country. Was it possible, therefore, to hope for success against such enemies, if the affections of Ireland were not conciliated, and if both islands were not to be united. He would ask Ministers if the greatest part of the British troops were not at present required for the purpose of keeping Ireland in subjection? No person could lament the fate of Switzerland more sincerely than he did.—But what was the cause of their calamities? It was the divisions which had existed among them—the want of cordiality and union which had prevented them from being in a state of preparation to resist invasion. Such must

must be the fate of this country if that dreadful division existed between her and Ireland; whereas, if they were both united, a peace might be speedily obtained on advantageous terms; because the French would then see, that it was in vain to fight against so formidable a power, and if the enemy then should not be willing to make peace, this country must be sure of success; therefore he knew of no means that would so effectually prevent the evils that threatened us, as that of terminating the present system in Ireland. It was the Government that forced the people of that country into that state of discontent which led them into associations, from which every thing was to be dreaded. It was of the most serious importance to consider of lenient measures; and the well-wishers of the British Constitution, and the true friends of the Sovereign, should try all means, and do every thing in their power to put an end, in the most amicable manner, to those dreadful divisions, the attempt to suppress which by other means, called forth and employed all the forces of the country.

Mr. *Wilberforce* said, he conceived it necessary for him to rise upon the present occasion to give his support to the measure which had been laid before the House; because he perceived there were some Gentlemen on the opposite side of the House, who, although they did not directly oppose the measure, and although they pretended to support it, yet gave it a kind of secret opposition. They should have felt that it was the duty of every man to be unanimous on an occasion like the present. He highly approved of the sentiments that had fallen from an hon. Baronet, at the same time that he found it necessary to correct him in that part of his speech where he complained that those measures had not been sooner adopted. The fact was otherwise: for the hon. Baronet must recollect, that for these three or four years past the same plan was acted upon in spirit, and that similar measures, all tending to the defence of the country, had been adopted during the whole of that time. In that county which he had the honour to represent, he could say that great numbers of people who had never been in the habit of understanding military affairs, had come forward long ago and offered their services for the defence of the country. But now, when the enemy had openly declared their intention of invading it, it was necessary to call out all the possible forces that could be raised; and he was convinced that there would not

not be found in the county of York any want of spirit to second the efforts of government. The people of that county understood and felt the blessings which they derived from the happy constitution under which they lived.—They highly approved of the conduct of his Majesty's present Ministers, which they knew to be directed to the safety and advantage of the country. The only question then was, how those persons could be most advantageously employed. They only wanted to be instructed in the means by which they could be most useful. All those who possessed any property on the coast were grateful to ministers for the measures they intended to adopt in order to render it secure. He would not trouble the House with any more observations; he found it necessary thus to declare what were the sentiments of his constituents, as well as to express the satisfaction he felt at hearing the present plan proposed; and he hoped it would meet with unanimous support, and be prosecuted with vigour and expedition.

Sir *William Pulteney* repeated his approbation of the present plan, but he did not think it should be carried on upon the principle of paying every person who might be employed in consequence of it. The country at large should shew what it was capable of doing, without any idea of putting into pay all those who should come forward in its defence.

Mr. *Willerforce* explained.

Mr. *Buxton* said, that a measure similar to the present had been proposed by him in the counties of Norfolk and Suffolk, where it had been approved of; and it was determined that carts and waggons should be in a state of readiness to carry away the property of farmers living near the coast. If there was any event that could justify the whole conduct of Ministers during the present war, it was the recent example of what had happened in Switzerland. For there could no longer be a doubt but that if Great Britain had till this time remained in a state of inactivity, the whole united fleets of France, Spain, and Holland would have attacked her; they not having been weakened by those glorious successes gained over them by the British Navy, and Britain would then be in the same deplorable state of weakness in which the Swiss were at present.

Mr. *Dundas*, in reply to some observations that had fallen from an honourable Baronet, said, it was not meant that this plan should be attended with no expence. Could any Gentleman suppose that persons employed in the business of being trained to put it in execution, should have no compensation for the loss of their time? But he must say, that many of the volunteers,

lunteer corps had come forward in a patriotic and disinterested manner and refused to receive any pay at all.

Mr. *Hobhouse* said, he wished to ask whether persons under this plan would be forced to serve.

Mr. *Tierney* said, that so far from intending to oppose the plan, he highly approved of it; and he should have contented himself with giving a silent vote, and not have said a word on the subject, if a disposition had been shewn that day, to leave out of the question all party prejudices. An honourable Gentleman, however on the other side of the House, whose reputation for a meek and peaceable disposition might lead one to suppose that he would have pursued a different conduct, had, in the most unprovoked manner, thrown out ungrounded assertions against Gentlemen on that side of the House, by saying that they had made a secret opposition to the intended plan, at the time they openly expressed their approbation of it. Whatever others might think, he, for his part, would say, that the language and illiberal insinuations he had heard, were such as he might naturally expect to come from that quarter. "I will tell that honourable Gentleman, (said Mr. Tierney) that I am as animated in the cause of defending my country, and that I am as true a friend to the interests of Great Britain as he can be. I have a character to maintain as well as he: I have a right to say that my reputation is as good, and that I and my friends are as much entitled to credit, both from this House and the country." But for that honourable Gentleman to say, that any thing had fallen from his friends which called for the most distant animadversion, was a thing which he could not be warranted in doing. As to what had fallen from an honourable Friend of his, he believed that it would be agreeable to the general cordiality so much recommended, to receive the suggestions which he had offered to the House. Another hon. Friend had insisted on the necessity of conciliating Ireland. Could any Gentleman suppose that these suggestions were like a secret opposition? When any Gentleman in that House proposed a measure which he conceived had a tendency to promote the interest of the empire, he would ask whether that man could be a friend to his country, or acted in a manner becoming a member of that House, who from any little petulance should sneer at what had been offered from the best intentions. He could appeal to the actions of his own life for the rectitude of his intentions. He did not consider himself as forced to give a blind support to any measure; and though he highly approved of the present, it did not follow but he might propose some alterations in it; and he had that opinion of the candour of the

right hon. Gentleman who brought it forward, that he was sure he must rather thank him for his suggestions, than find fault with him.

Mr. *Wilberforce* rose to explain. He said that he never was so much surprised during the time which he had attended his duty in Parliament, as at the expressions which had fallen that night from the honourable Gentleman opposite to him. It would appear that the honourable Gentleman had been for some time past collecting and accumulating all his spleen with a view of giving it vent upon the present occasion. He could only account for the extraordinary attack made upon him by the hon. Gentleman in that manner—[*Mr. Wilberforce was called to order.*] He then proceeded by observing, that he had at first risen for the purpose of stating to the House, that in his mind the language which had fallen from Gentlemen on the other side was not like that warm and cordial expression of sentiment which was naturally to be expected in a crisis so essentially different from all other events that had ever occurred; and on the subject of which, with respect to every wise preparation of national defence, all ought to be united in such a manner, that the people of the country without doors might be ready to put into execution those plans which the House might think proper to adopt. As it was not, however, consistent with order to reply to the invectives which had been directed against him, he should say no more; but as the hon. Gentleman was well aware that he (*Mr. Wilberforce*) could not in compliance with Parliamentary regularity defend himself against so unprovoked an aggression, that knowledge perhaps constituted one of the hon. Gentleman's reasons for adopting that line of conduct.

The *Chancellor of the Exchequer*--“Sir, I feel myself called upon to express my astonishment at the language thrown out to night by the hon. Gentleman on the other side of the House against my honourable friend near me. I have no difficulty in saying, that it is the most unprovoked and unwarrantable attack I have ever heard made by one gentleman upon another. With respect to myself, I can easily account for what my honourable Friend has said: the sentiments which he has expressed have been unquestionably dictated by the purest and most patriotic motives. He expressed his belief, that the great body of the people of this country were impatient to step forward, and carry into execution those plans which the wisdom of the Legislature might adopt for the more effectual protection and safety of the kingdom; and on that ground he was desirous, that

that any salutary plans or system of defence, which might be proposed, should be received with unanimity, and confirmed with the most marked and decided approbation of every Member, for, in that most essential point, all are equally concerned. It is therefore rather extraordinary, because my noble Friend complained that certain Members did not give their hearty support to the measures proposed to be carried into execution, with respect to the defence of the country, that the honourable Gentleman on the other side of the House, should get up and make a direct and violent attack against my honourable Friend, as if the honourable Gentleman was convinced that the insinuation had been thrown out against himself. What it is that has so unexpectedly kindled the flame of resentment in the honourable Gentleman's breast, and raised his passions to this aggression, I am at a loss to conjecture: but I must ask, has my honourable Friend had no cause for throwing out any blame against certain persons this day? Has he been furnished with no ground for delivering his sentiments in the way which he has thought proper to adopt? The honourable General has certainly not been so warm in the important cause of the defence of the country as my honourable Friend, and, I am confident, many others may have wished: for though he has not objected to the plan now under discussion; one may, with great consistency, suppose, that his opinion in favour of it is too lukewarm. The honourable Gentleman has said, that the operation of the plan ought to be delayed, and that has been considered as a just sentiment by one who expressed his conviction that it ought not to be delayed at all. With respect to the honourable General's opinion as to the exact manner of defending the country, or that the force of the kingdom should be collected and applied to the protection of the great towns, I will not undertake to discuss that point at present; but if he seriously entertains that opinion, it clearly forms in my mind an additional argument why we should be more eager and more sanguine in the adoption of the plan, and therefore we cannot be surprised, that my honourable Friend has been induced, connecting such sentiments with the nature of the system of defence proposed; to consider him as not sufficiently zealous in promoting the measure. The honourable General has alluded to the impracticability of driving away from the coasts the cattle of the farmers. I did not, however, understand from him, that we ought not to drive away the cattle in case of an invasion; but if he meant to say, that it should be done soon, I am the more surprised that he should entertain an opinion of that kind,

because from his experience as a military man, he ought to have known, that a measure of that peculiar nature is always expedient, and even necessary. As to what has been thrown out by an honourable Gentleman on the subject of Conciliation with respect to Ireland, and the reference which he has thought proper to make in his observations on that topic to the present situation of Switzerland, I cannot help remarking, that the allusion is one of the strangest that I have ever heard made; and my honourable Friend might have been well surprised at the inference which the honourable Gentleman drew from it, because the inference ought in fact to be directly the reverse of the conclusion which the honourable Gentleman took so much pains to establish. The same honourable Gentleman has reprobated, in the most pointed and unqualified terms, the present system of coercion which unfortunately has become necessary for Ireland, and has compared the state of this country with that in which Switzerland has been hitherto placed. He has endeavoured to shew, that the want of unanimity among the people of that confederacy, has produced those misfortunes in which they are at present involved, and has thus laboured to prove that similar calamities impend over this country. But, Sir, the honourable Gentleman should know, that the British Parliament and the British Government, during the whole of his present Majesty's reign, so far as they had the power of interfering in the affairs of Ireland, have shewn every indulgence, and granted every possible favour to that country. He should know, that nothing has been omitted on their part, and that no exertion has been wanting to extend the commerce, and secure the rights, privileges, and happiness of that kingdom. Conciliation is now become a favourite word; but I beg leave to say, that the word conciliation, in the present crisis of public affairs, is both misunderstood and misapplied. Does the honourable Gentleman mean, by conciliation to Ireland, that we should make every concession and every sacrifice to traitors and rebels, to men who are industriously propagating the most dangerous principles, engrafting upon the minds of the people the most destructive doctrines, wantonly seducing and deluding the ignorant multitude, encouraging the most criminal correspondence with the enemy, exciting the commission of treason in Ireland, under the specious pretence of Parliamentary Reform, and forming, in conjunction and co-operation with the professed enemy of all liberty, morality, and social happiness, plans for separating that country from Great Britain, and for converting Ireland into a Jacobinical Republic,

lic, under the wing and protection of Republican France? Are we to conciliate men whose machinations go not merely to the subversion of their legitimate government; but to the diffusion of every horror that anarchy can produce? Are we to conciliate men with arms in their hands, ready to plunge them into the hearts of those who differ from them in political opinion; men who are eagerly watching for an opportunity to overturn the whole fabric of their constitution, and to crush their countrymen with its ruins? Are we to withhold from the peaceable and loyal inhabitants of Ireland that protection without which there is no security for their lives and property? No! The only measure of safety we can adopt is a vigorous system of opposition to those who would completely destroy the country; while, on the other hand, we are irresistibly called upon to give a manly and firm support to those who would preserve for themselves and their posterity those great and inestimable blessings which they now enjoy!

Since an allusion has been made to Switzerland, I think it necessary to observe, that her present calamities have been produced by the adoption of measures directly contrary to those which I have just mentioned. She unfortunately gave way at an early period of the war, to the fatal influence of French democracy. She afterwards consented to new model her Government, and endeavour, but in vain, to appease the enemy. Her condescension was ineffectual—her concessions were disregarded; her attempt at conciliation was fruitless. The enemy was regardless of every concession, and intent alone upon gratifying the imperious calls of unbounded ambition. But if the Swiss had from the beginning pursued a manly and decided line of conduct; if they had opposed vigorous measures to the destructive principles of France, and kept themselves in a state of independence and strict neutrality, they would, I believe, be at this moment as free as any other nation; though I still sincerely hope their resistance is not too late. If, therefore, any inference with respect to the present situation of this country is drawn from the misfortunes of Switzerland, the example of the miseries which she has suffered in consequence of her timidity, surely it ought to weigh with us; the patriotic heroism and gallant ardour now displayed by her brave inhabitants ought to animate us to the most vigorous exertions, and convince us, since we behold the extraordinary efforts of which a nation is capable, even with all that supineness into which she has been betrayed, and reduced as she is to her last struggle, that we have every thing to hope from our perseverance, firmness,

ness, and unanimity. I trust, Sir, that the example of that brave, but unhappy people, will animate this country to vigorous and necessary exertions. Let us, not, by imitating their former conduct, run into the danger in which they have involved themselves, and subject ourselves to incur those misfortunes which they now experience.

Leave being given to bring in the bill, it was accordingly presented and ordered to be read a second time the next day.

Mr. *Dundas* said, he should move to have it committed next Thursday, and as it was necessary to have it carried through all its stages with every possible dispatch, he would now move that the bill be printed.—Ordered.

Mr. *Ryder* moved for a string of papers relative to the Herring Fishery, which were ordered to be presented.

The additional Assessment Bill was read a second time, and ordered to be committed the next day.

Adjourned.

HOUSE OF LORDS.

WEDNESDAY, *March* 28.

SWITZERLAND.

The Earl of *Carlisle* said, that what he had to offer to their Lordships would be contained in a very few words; and were he not sure that he would not detain them long, he should not have risen to address them on a subject which, though interesting to their feelings, was not before them in any shape for consideration. He was not sure that the matter to which he alluded could in any regular mode be brought before them at present, yet it was one which in being mentioned could not fail to be received with the strongest emotion. He alluded to the situation of the Swiss at the present moment. Whatever might be the event of the struggle in which the Swiss were now engaged by the magnanimous and gallant conduct which they had maintained in resisting an unprovoked attack by the French Republic, they had done more than any other nation, England excepted, to stem the torrent of French power and French principles which threatened to desolate Europe. The empty praise of their Lordships or of the other House of Parliament might be unavailing to support them in the struggle in which they were involved; yet to know that they had been honoured by the approbation of a British Parliament; to know that their generous defence of their independence had called forth the admiration

miration of all Britain, ought to be some consolation to them in the worst fortunes to which they might be doomed. He hoped, therefore, that something would be suggested either now or on some other occasion to enable the House regularly to express the sentiments which they entertained. If it were practicable by any means to reinforce the Swiss nation, and enable them to support the struggle in which they were engaged, it would be worthy of the British character and generosity to give them full effect. If it were possible, by any means, to enable them to repel the unprovoked aggression of an ambitious enemy, and to defeat that cruelty, that perfidy and injustice with which they had been treated, the British nation would not hesitate to employ every effort. He had no motion to make upon the subject at present: he merely stated for the consideration of their consciences that in what he had said he had only anticipated the feelings of every man in the House.

Lord Grenville said, that no apology could be necessary for the introduction of a subject like that to which the noble Lord had called their attention. It came home to the feelings of every man who retained the least capacity of moral judgment, much more did it come home to the feelings of those who, born in a free country, could estimate the struggles which brave men were willing to endure for their liberty. If there were any regular mode of laying the subject before the House, no doubt could be entertained of the opinion they would pronounce. Perhaps, however, an opportunity might occur, in communications on the subject of the relations we maintained with other countries in which this sentiment might be expressed. He was glad that the subject had been touched upon with so much delicacy in this and the other House of Parliament, as it would give weight to any measures which the events alluded to might dictate. If any thing could add fortitude to the Swiss in their present arduous contest, it would be to know that the sympathy of every thing generous and liberal, of all who prized the blessings of freedom and independence, went with them in the exertions which they made. This subject came peculiarly home to Englishmen, because they saw the Swiss were like themselves struggling in a cause for their liberties and their independence, for every thing which could be dear to individuals and to nations.

There being no question before the House the conversation ended.

DIVORCE BILLS.

The proposed standing orders relative to this subject, being to be taken into consideration pursuant to the order of the day,
The

The *Lord Chancellor* rose to submit a few observations to their Lordships' consideration on the subject of the resolutions which he on a former day had had the honour of laying on their table, and would that might propose to be adopted by the House. With the nature of these Resolutions their Lordships must already be acquainted; he had bestowed great pains on the examination of the subject involved in them; and he had hopes the community would be generally benefited by these regulations, the sketch of which formed the result of his enquiries. Here his Lordship complained of the misrepresentations of some newspapers, wherein it had been stated, that in the course of a recent discussion on this subject, (Eften's Divorce Bill) their Lordships had reflected with asperity on the Ecclesiastical Court; a circumstance which he was sorry to find, had occasioned some uneasiness to Gentlemen of great respectability and distinguished situation in Doctor's Commons. He reminded their Lordships, that so far from having offered any reproaches to that Court on their sentence, he had merely stated, that had the evidence given at their Lordships' bar been adduced at Doctor's Commons, the sentence *a mensa et thoro*, would not have passed. Such too had been the remark of the noble Prelate (Bishop of Rochester) who on that occasion had addressed their Lordships, and as it was not to be expected that any refutation could otherwise be given to those insinuations, than by exposing their falsehood in that House, it was due to that learned body of Civilians thus to have taken notice of them. He next briefly recapitulated the points in the resolutions which have for their object to regulate and determine the mode in future to be practised in conducting acts for divorce. Evidence is to be given by the parties at their Lordships bar, where they are to be examined if their Lordships think fit. Copies of the proceedings which may take place in Doctor's Commons are also to be required by their Lordships; and in general the spirit of the resolutions is, to prevent the collusion of parties, and bring forward every circumstance of evidence that may be connected with the case. He concluded with moving that the resolutions be agreed to.

The Bishop of *Rochester* thanked the noble Lord on the Woolfack for the polite manner in which he had been vindicated by him from the charge of having spoken disrespectfully of the proceedings of the Ecclesiastical Court. Like that noble Lord he had on the occasion alluded to, expressed a wish that the deed of separation had been given in evidence at Doctors' Commons; but while he did so, he well knew that the constant practice of that Court was, not to take into its contemplation deeds of this kind. Sure he was, however, that had the
evidence

evidence on which their Lordships had thrown out that Bill, been given in the Ecclesiastical Court, it would not have passed the sentence *a mensa et thoro*. With respect to the misrepresentations of what had fallen from himself when that sentence was alluded to by him, he would only say that he considered the Ecclesiastical Court one of the most honourable of our Courts of Justice. He approved of the Resolutions then before the House, and augured from them the most salutary reforms in the morals of the community.

Earl Radnor said, he felt a difficulty respecting the wording of the second resolution, which stated that a petition or praying for a Divorce Bill, should "if the House thought fit," attend the House, in order to his being examined at the Bar. He agreed that he had not quite made up his mind on this matter, but he thought on a subject so extremely material, the House should make a positive and peremptory order, and leave as little as possible to its discretion, because to allow of a discretionary exercise of their judgment, would be to open a door to partiality, and the operation of influence, both of which ought most studiously to be avoided. An injured husband, who felt it necessary to apply for a bill of divorce, might be absent from England, and abroad in the service of his country, and therefore incapable of appearing at the Bar of the House. He wished therefore that some alteration were made in the wording of the second resolution, because undoubtedly in some cases it would be hard to require a man to come personally to be examined at the bar, whether there was collusion in the case. The examination might be elsewhere. A man might be necessarily abroad. The rule should preclude discretion, or should preclude all favour, and be understood to be peremptory, except in case of inevitable absence.

Lord Sydney said, that the loose manner in which divorce bills were prosecuted, had long since appeared to him a matter that called for regulation, because it was undeniable that the practice that had obtained when such bills, were before the House, did not form the most respectable part of their proceedings. He therefore thought the House and the country highly indebted to the noble and learned Lord for having applied his mind to the subject, and produced two resolutions that promised so much advantage to the community. At the same time he owned he had some scruples, similar to those mentioned by the noble Earl (Lord Radnor) in respect to the second resolution. He could easily conceive possible cases, in which a feeling husband, wounded to the soul by the turnitude of his wife, would consider the being exhibited at their Lordships' bar, as little short of the injury he had previously sustained.

tained, and which induced him to prefer a petition for leave to bring in a bill of divorce. There might also, as the noble Earl had stated, be persons unavoidably absent from England, and incapable of attending when the divorce bill, in which they were so nearly and so deeply interested, came under their Lordships' consideration; he was however of opinion, that the plea of absence from the country might be used to colour collusion, and easily practised to prevent the appearance of the petitioner for a divorce bill at their Lordships' bar, to answer such interrogatories as the circumstances of his case might suggest. He wished therefore that some sort of modification of the order might be adopted, which might rescue the injured husband from the infliction of a severe additional pang to his wounded feelings, and prevent a collusive evasion of the order.

The *Bishop of Durham* admitted, that it might be a hardship for a man in certain cases to appear at the bar, but where it would be a hardship, the House had the power to dispense with it, under the words of the clause, 'a discretion which, no doubt, they would wisely exercise. The tendency of the resolutions proposed he certainly approved, and he was convinced they would be beneficial. The object of the regulations was to prevent that which from the experience of 29 years, during which period he had the honour of sitting in their Lordships' House, he was convinced was the root and bottom of most cases of divorce, he meant collusion between the parties. He thought that the House and the public were under infinite obligations to the noble and learned Lord, for the pains he had taken on a matter so serious to the general interests of morality, and he was convinced the regulations proposed would remedy the evil in a considerable degree, though he should have been glad if something had been done by the joint concurrence of the Legislature. The multiplicity of bills of divorce which their Lordships had been called upon to pass, was a serious evil. He had, during the many years that he had the honour of a seat in that House, and he had witnessed the multiplicity of divorce bills with the deepest regret. It was now some years since he had endeavoured in that House to stem the torrent of depravity, and tear asunder that which threatened to overwhelm all the bonds of society. He rejoiced that an effort was now made to resist that first step in the impetuous course of vice which had been adopted and practised in a neighbouring kingdom, as the surest means of undermining every principle of religion and morality. In endeavouring to correct, and to guard the public morals, it was of the last importance to pay attention to the morals of the women. If any credit could be given to history, there was no more sure symptom of a declining empire, than the coolness

ness and bad principles of the fair sex. To guard their morals, therefore, was a matter of the best importance to the general morals of the country; and he was convinced, that to take away the facility of divorces, would in this respect be attended with the best effect.

The *Earl of Radnor* repeated his objections to one part of the resolutions.

The *Earl of Radnor* persevered in his objections.

Lord *Mulgrave* was afraid that the persons the most determined to ask relief, and those who may be the most flagrantly injured, may very probably be the persons the most reluctant to make such application, and the most averse to exhibiting themselves in such a manner at their Lordships' bar. The whole object of the attendance of the petitioner might, in his mind, be answered by a private examination, and by an affidavit of the petitioner resulting from such an examination. Were it possible to substitute an affidavit of this nature to the personal attendance of the petitioner at the bar of their Lordships, it would in a great measure remove his objections to the proposed regulations,

The *Bishop of Rochester* was ready so far to agree with the noble Lord who spoke last, that he confessed himself sensible that many cases might occur in which it must hurt the feelings of the petitioner to be thus called to their Lordships' bar; neither could such cases be altogether acceptable to the feelings of the House. It was, therefore, in his mind, highly proper to leave the specification of such cases to the discretion of their Lordships, persuaded, as he was, that in such cases the regulations in question would be so qualified as not to be likely to bear hard on those whose situation should particularly call for relief. The proceedings of the ecclesiastical court should be carefully revised, and if on such revision, there appeared the least suspicion of collusion, then the whole matter should undergo the severest investigation. The right reverend Prelate was also ready to allow that there might occur cases where absence from the kingdom, and other such like inconveniencies, might be of absolute necessity, and he was therefore of opinion that in such cases the House would dispense with the personal attendance of the petitioner. But he must likewise observe that other cases of absence might be pleaded which should appear to arise merely from collusion, then surely the attendance of the petitioner should not be dispensed with by the House. But it was impossible to specify all the cases in which it might be proper that the petitioner should be examined or not; should no circumstances suggest the suspicion of a collusion in the trans-

action, then undoubtedly the House would not ting the feelings of the petitioner to a severe a trial. His Lordship had suggested an alteration of the clause, by making the words, "as I think fit," apply merely to the attendance of it public examination at the bar. But indeed I could have little weight against the propriety of gulations, when their Lordships considered he concern the morals of the public at large, but the women, as was already well observed by a reverend ~~late~~ late; for by the corruption of their principles the sanctity of marriage was polluted; to profane and destroy the sanctity of this institution had been the favourite object of the system of Jacobinism in a neighbouring country, and by it was begun the general corruption of manners which that nation now exhibited. This was a striking and severe lesson, from which he trusted that in the present case, the wisdom of the House would derive that salutary instruction which it so forcibly held out.

Lord *Mulgrave* declared himself not satisfied at the petitioner being obliged to attend in general, though in some cases he would not object to it.

The *Lord Chancellor* rose from the woolstack, and observed that the noble Lord seemed to confound the distinction between passing a law and agreeing to a standing order. All they were now doing was to institute a standing order, over which their Lordships would at all times have sovereign command, and might suspend it, whenever the peculiar circumstances of the case might appear to them to call for its suspension. According to the established forms of the House, there were modes of notice, &c. provided, and which being conformed to, any noble Lord might move to suspend a standing order. The *Lord Chancellor* reminded the House of the obvious necessity that was apparent for a more strict mode of proceeding with Divorce Bills than of late years obtained. The passing of Divorce Bills had for a long time been considered as a matter of course, and, as he had stated, when the Divorce Bill of Mr. Estlin forced the subject upon their Lordships' minds, was regarded as a mere form, equal to that of passing a fine, and suffering a recovery in one of the courts below. His Lordship expatiated with irresistible force on the laxity of manners and morals that had of late gained ground in the higher ranks of society, and suggested that several of the Divorce Bills passed within these few years had their origin in the shameful view of subsequently obtaining a divorce, and the female's marrying the adulterer as soon as it was

was obtained; a practice so foul and revolting to decorum and decency, that every man of common reflection must shudder at it. He said, with regard to the objections of the noble Lord (Lord Mulgrave) he conceived they in a great measure arose from their Lordships not keeping in mind the wide distinction between making a law and agreeing to a standing order. The words, "as the House should think fit," gave the House a full discretion, which no doubt they would exercise with propriety and attention to the circumstances of the case, whenever it should be made appear satisfactorily to their minds, that the petitioner ought to be spared the pain of public interrogation at their bar. The Lord Chancellor then proceeded to read the regulations, and they were afterwards agreed to without any alteration.

The several bills on the table were forwarded in their respective stages, after which the House adjourned.

The following are in substance the Resolutions respecting Divorce Bills.

I. RESOLVED, That for the future no Petition for any Bill of Divorce shall be presented to this House, unless an official copy of the proceedings, and of a definitive sentence of Divorce *a Mensâ et thoro* in the Ecclesiastical Court, at the suit of the party desirous to present such Petition, shall be delivered upon oath at the Bar of this House, at the same time

II. RESOLVED, That for the future upon the second reading of any Bill of Divorce, the Petitioner praying for the same do attend this House, in order to his being examined at the Bar, if the House shall think fit, whether there has or has not been any collusion, directly or indirectly, on his part relative to any act of adultery that may have been committed by his wife, or whether there be any collusion, directly or indirectly, between him and his wife, or any other person or persons touching the said Bill of Divorce, or touching any proceedings or sentence of Divorce had in the Ecclesiastical Court at his suit, or touching any action at law which may have been brought by such Petitioner against any person for criminal conversation with the Petitioner's wife; and also, whether at the time of the Adultery of which such Petitioner complains, his wife was, by deed or otherwise by his consent, living separate or apart from him and released by him, as far as in him lies, from her conjugal duty; or whether she was, at the time of such adultery, cohabiting with him, and under the protection and authority of him as her husband.

HOUSE OF COMMONS.

WEDNESDAY, *March 28.*

An account was laid before the House of the different bounties that have been granted under the authority of Parliament
to

to persons in the herring fisheries, and which being ordered to be laid on the table,

Mr. Ryder said, that the view of stating these accounts, was to shew to the House what had been the effect of the system of encouragement which Parliament had followed with regard to the herring fisheries. It had appeared to him that the success of these fisheries had been in proportion as the fisheries had been relieved from any kind of restriction, instead of allowing bounties under certain restrictions. He thought it fair to state to the House that fact, in order that they might afterwards judge whether the bounties should be continued under any restrictions, or the trade to be free from them. He did not, however presume to say, that his opinion was of sufficient weight to guide that of any other Member. His chief object was to call the attention of the House to the facts as they appeared by the documents now on the table. He should pursue the plan that was adopted thirteen years ago by the House, which was to refer the matter to the consideration of a Select Committee, and Parliament would then have an opportunity of considering the subject. He moved, That a Committee be appointed to enquire into the state of the British herring fishery, and into the most effectual means for its improvement and extension, and to report the same, and their opinion thereupon to the House. —Ordered.

DEFENCE OF THE KINGDOM.

The *Chancellor of the Exchequer* moved the Order of the Day, for the second reading of the bill to enable his Majesty the more effectually to provide for the defence and security of the realm, and for indemnifying persons who may suffer in their property by such measures as may be necessary for that purpose.

The bill being read a second time,

The *Chancellor of the Exchequer* said, that this bill which had met the unanimous approbation of the House, was a very important one; and therefore he wished it to be considered with the attention which its importance demanded. It was printed. The question would be on the commitment of it, or would rather be in the detail. He should then move that it be committed to a Committee of the whole House the next day. He understood that the honourable Gentleman who had given notice of a motion the next day would waive it, to make way for the discussion of this public business.

The question being put, the bill was ordered to be committed to a Committee of the whole House the next day.

The

The bill to amend and repeal certain parts of the Act of James I. respecting leather was ordered to be read a second time on that day se'nnight, on the motion of Mr. Ryder.

Mr. *W. Dundas* observed that there was an Order of the Day for the second reading of a bill for continuing the duty of twopence Scots on every Scots pint of ale sold in Edinburgh. He should move, that the order be discharged, for the purpose afterwards of appointing it to come on some day after the holidays.—This he proposed, to afford time to make any observations, or to communicate between the parties interested any suggestions that might occur: perhaps some substitute might be found for this local duty. The day to which he proposed to postpone it was the 25th of August next.

Sir *W. Pulteney* approved of the delay, and trusted that some such suggestions might be made as had been hinted at.—Deferred to the 25th of April next.

Mr. *W. Dundas* moved for leave to bring in a bill for incorporating Commissioners for erecting light-houses in the northern parts of Great Britain.—Granted.

Deferred the other Orders of the Day.

Adjourned.

HOUSE OF LORDS.

THURSDAY, *March 29.*

Heard counsel in a cause, Adair against Maitland, on an appeal from the Court of Chancery, and affirmed the decree.

Read the several Bills on the table.—Adjourned.

HOUSE OF COMMONS.

THURSDAY, *March 29.*

Mr. *Lascelles* moved to postpone the Ship-owners' Bill to Monday 6th of April.

Alderman *Lushington* said, that though he was desirous to have the Bill carried soon through Parliament, he was willing to consent to its being postponed, in order to accommodate many Members who are now necessarily absent upon public duty.

The Slave carrying Bill, which was to be committed this day, was postponed to next Wednesday.

DEFENCE OF THE COUNTRY.

Mr. *Dundas* said, that he had on a former day moved to have the Bill for the Defence of the Kingdom printed, in order

der that gentlemen should have an opportunity of giving it full and minute consideration. He had in consequence thereof, received several very material suggestions, which induced him to wish, that the committee which was to have sat that day should be deferred till the next. At the same time he was aware, that a motion of an honourable Gentleman (Mr. Wilberforce, on the Slave Trade) stood for the next day; and though he was extremely sorry to interfere with other business, he thought this so much more pressing, that he begged the honourable Gentleman would defer his to another day. He said he had already many acknowledgements to make to the House for their indulgence on that head; but as the delay of a day or two could not make any material difference in the honourable Gentleman's motion, while this Bill was of the utmost importance, he hoped to be favoured this time with indulgence.

Mr. Wilberforce said, he had been very averse to the various postponements which had already taken place, and nothing could reconcile him to another but his desire to hasten a measure for which the country at large was extremely anxious. At the same time he expressed a resolution not to let it go beyond Tuesday next.

The *Chancellor of the Exchequer* said, he was glad to hear his honourable Friend make choice of Tuesday, as he had fixed on Monday to bring forward his propositions respecting the Sale of the Land Tax—to propose them to a Committee on Wednesday, and on Thursday to bring up the report.

Mr. Tierney said, he was desired by an honourable Member (Colonel Walpole) to give notice of his motion about the *Maz-rooms* on Monday; finding Monday engaged, he had thought of Thursday; but as he now saw Thursday was also occupied, he would say nothing.

The *Chancellor of the Exchequer* thought that motion might as well be put off till after the holidays.

Mr. Jones got up and said a few words about the *Emigrants*.

The Committee was postponed till the next day.

ALIEN BILL.

The *Solicitor General* brought in a Bill for renewing the Alien Bill, which was read a first time.

Mr. Jones expressed his approbation of it; but said, he would reserve to himself the right to make a future application about Aliens; in doing which it must be evident he could have no motive but the public safety.

The

The Bill was ordered to be read a second time the next day.
—Adjourned.

HOUSE OF LORDS.

FRIDAY, *March 30.*

Read the different Bills upon the Table in their different stages.—Adjourned to Monday.

HOUSE OF COMMONS.

FRIDAY, *March 30.*

The Alien Bill was read a second time, and ordered to be committed on Tuesday next.

The *Chancellor of the Exchequer* gave notice, that he would, on Monday next, move that the House resolve itself into a committee to take into consideration the Land Tax Bill.

The Scots Lighthouse Corporation Bill was read a first time, and ordered to be read a second time that day fortnight.

MAROONS.

General *Walpole* said, that after his having given such frequent notice of his intended motion respecting the Maroons, and his having given it up every time to accommodate his Majesty's Ministers, he could not help thinking it hard, that the right honourable Chancellor of the Exchequer should take advantage of his absence, to occupy Monday which he had fixed upon for that purpose. He added, that if the Chancellor of the Exchequer did not expect to have the report of the Committee on the Land Tax brought up on Thursday next, he would bring on that Motion.

The *Chancellor of the Exchequer* said, that if he had conceived that his interfering with the day fixed for the motion respecting Maroons, could have been of any personal inconvenience to the honourable General, he would not have taken that freedom; but the fact being, as he had stated, that the honourable General's motion was not very urgent in point of time, and as the business of the Land Tax was one which it was necessary to lay before the House before the holidays, he had fixed on Monday.

Mr. *Simeon* gave notice that, on Monday se'nnight, he would move for leave to bring in a Bill to regulate the distribution of the assets of deceased persons.

The *Attorney General* gave notice, that, on Wednesday next, he would move for leave to bring in a Bill to regulate

DEFENCE OF THE KINGDOM.

The House resolved itself into a committee, to consider of a Bill for the defence and security of the realm.

Mr. Secretary *Dundas* said, he had, since the Bill had been before the House, endeavoured to alter it to various suggestions he had received, as far as was compatible with the purpose in view, and consistent with the principle on which it was founded—He did not know whether those alterations would come fully up to the desires of those who proposed them; and he wished Gentlemen would attend, to see whether they were to the effect desired. He remarked, that as the service required by the Bill was to be wholly voluntary, he proposed to omit the exceptions in favour of particular persons.

Mr. *Tierney* said, he was extremely anxious not to disturb that unanimity which appeared to be general in and out of doors, and which the measure so abundantly merited—yet, without meaning to oppose any clause, he could not admit it to pass precisely in the form in which it now stood. As far as the service was voluntary it had his unqualified approbation; but he apprehended that the Bill, as it was worded, would, without using actual compulsion, do worse; for it would put those who did not enter into a very invidious situation. What sort of voluntary service was that which fixed a mark upon those who refused it. There were many situations in life which rendered it inconvenient; some which rendered it impossible for men to attend, in order to be regularly trained and arrayed; who, when real danger approached, would be found to be as cordial and zealous as any others. He wished the service to be actually voluntary, and that the measure should go so far as that the king should know what number, and of what description he could call upon: but if all were returned, distinguishing those who were willing to come forward immediately, one man would, in the glowing language of zeal, offer his services while another, not less zealous in his heart, would be branded with the imputation of coldness to the cause, than which nothing could more tend to make differences, and create jealousies and invidious distinctions—This, then, was the only part to which he had any positive objection; though he must say that in his view, the latter part of the Bill was useless—He again pressed the necessity of taking proper care not to put well meaning persons in an invidious situation; he was sure it was not the
intentions

intentions of ministers to do so; for though they might wish to mark out those who were really disaffected, they would not, he was persuaded, on that account, adopt a mode of proceeding that would equally affect the well-meaning and the disaffected.

Mr. *Hobhouse* hoped it was needless for him to say that the measure had his most cordial approbation: there were some parts, not clauses, but parts of clauses, that were objectionable,—one part, he was glad to find, was altered by the right hon. Secretary; the other he would advert to when the part in which it was came before the House.

Mr. *Dundas* said, that the honourable Gentleman (Mr. *Tierney*) would see on consideration that the Bill must remain as it was, or it would be of no use: as to the general effect he was sure, and he said so on the strongest conviction of the disposition of the country, that it would be most salutary to be left to the voluntary zeal of the people. Having said so much, he would add, that if there was any difference as to the provisions, it was not because there was any difference of spirit; but if the provisions were otherwise, the commanding officer of any district would not know how to apply, or where or to what amount to look for the aid of the country. This, he said, he could explain if he had had along with him one of the lists of those counties which had already come forward to enroll themselves; and he was, for that reason, sorry he had left them behind him. For example, however, in the county of Kent, the people said they wished to serve—but in different ways. Some said, they wished to learn to bear arms, and to be exercised and arrayed preparatory to the occasion; others enrolled themselves to come with their pitch-forks, &c. &c. &c.; others offered themselves to drive a cart or a waggon—but in order for commander to know what he was to expect from them, they must first ascertain the nature of their service; and this could only be done by a return of the Lord Lieutenant of the particular state, that there was such a number of men for such a purpose, and so forth: but, if left at a loss as to the distribution, a considerable part of the benefit would be lost. In order, however, to obviate the honourable Gentleman's objection, he had left out all that related to the publication of the names on the church doors.

Mr. *Tierney* said, he thought he ought now to be satisfied.

The *Chancellor of the Exchequer* said, an account would be published of the numbers, but not of the names.

Mr. *Tierney* said, he could have no objection.

After a few words, not of debate, but conversation, between the above gentlemen, Sir William Pulteney, Sir William

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Genry, Colonel Elford, General Tarleton, Mr. Bankes, and
Mr. Yorke; the first clause passed.

On the other clauses several short conversations took place,
after which the Bill was reported, and the report ordered to be
received the next day.—Adjourned.

HOUSE OF COMMONS.

SATURDAY, *March 31.*

DEFENCE OF THE COUNTRY.

Mr. *Douglas* brought up the report of the Committee on
the Bill for improving the means of National Defence, to
which

Mr. *Secretary Dundas* proposed several additional clauses,
which were agreed to.

The *Solicitor General* proposed a clause to empower the De-
puty Lieutenants to make compensation to the Clerks, &c. to
be paid by the Receiver General of the Land Tax in the
county.

Mr. *Bastard* said, he meant no disrespect to the gentlemen
acting as Deputy Lieutenants, but they were no more than
men, and therefore subject to such prejudices as might in many
cases entail a considerable expence upon the counties.

After some conversation it was agreed, that no expences of
the nature alluded to should be paid, unless confirmed by a ge-
neral meeting of the county.

Mr. *Dundas* said, he that morning received several letters
from the farmers in the county of Kent, stating their willing-
ness to serve in various capacities against the enemy, in case of
actual invasion; but not wishing to be called out upon such
alarms as might be excited by the menaces or bravadoes of the
enemy, they were desirous to be called out, only upon such
emergency as might induce the commanding-officer of the dis-
trict to drive cattle, remove property, &c. As the same sen-
timents probably pervaded the people of other parts of the
coasts, he gave notice, that, on the third reading of the Bill, he
should move for a clause to accommodate the farmers, by not
calling them from their usual occupations except in cases of
urgent necessity.

The Report being then agreed to,

Mr. *Hussey* expressed a wish, that the Bill with its amend-
ments be printed. He had not an opportunity of attending
its progress in the committee, and was fearful that the alter-
ations

ations might destroy that spirit and energy which it was at first calculated to inspire. He therefore wished that it might appear in such a form as would enable him and other Members thoroughly to understand it.

Mr. *Dundas* said, the alterations were, in his opinion, only such as were necessary for the accommodation of particular persons. It was far from his intention to diminish the spirit or energy of the measure, and he begged Mr. *Hussey* then to state in what manner he thought such an injurious effect was likely to be produced?

Mr. *Hussey* replied, that he was not then prepared to state any thing on the subject. He had full confidence in Mr. *Dundas*, who certainly understood the subject better than he did; but still he thought it advisable that the Bill should be printed.

Mr. *Dundas* rejoined, that understanding from the Speaker, that the printing of the Bill would be no delay to its passing he should move, that it be printed and read a third time on Monday next, if then engrossed.

This motion was agreed to, and the House adjourned to Monday.

HOUSE OF LORDS.

MONDAY, April 2.

In an appeal of the Court of Session, in which Isabel Duncan is Appellant, and James Ritchie Respondent, heard Mr. Adam and Mr. Gillies for the Appellant, and Mr. Attorney General for the Respondent. Affirmed the judgment of the Court of Session.

The Bills on the table were forwarded in their respective stages.—Adjourned.

HOUSE OF COMMONS.

MONDAY, April 2.

Mr. *Burdon* presented a petition from several persons in the trade of locksmiths, &c. against the Bill now depending, to continue the patent of Mr. *Bramah*, praying to be heard by counsel against the Bill.—Ordered to be referred to a committee on the Bill.

The Bill for widening the avenue into the City by Temple Bar, was read a second time, and ordered to be committed to a Select Committee.

The

The *Lord Mayor* presented a petition on behalf of the Governor and Company of Merchants trading to the Levant Seas, stating that they had laid out 8000*l.* in their plan, and could not proceed without parliamentary aid, &c.—Ordered to be laid on the table.

SALE OF LAND TAX.

The House having resolved itself into a committee, Mr. Hobart in the chair,

The *Chancellor of the Exchequer* rose, and spoke in substance as follows:—The subject which I am now about to submit to the committee, has of late excited considerable attention, and given rise to considerable inquiry. As the ultimate judgment which the committee will form upon it, must depend upon the consideration of a great variety of details, it is not my intention to call upon you for any decision to-day. I trust, however, that the principle upon which the measure is founded, only requires to be very shortly stated, in order to engage your attention, and to recommend itself to your notice. That, in the present situation of the country, every measure which tends to invigorate public credit, which will facilitate the means of supporting that struggle into which we were driven for our necessary defence, and which has been prolonged by the obstinate ambition of the enemy; that every measure which will furnish fresh resources to animate the courage of a nation, and to enable us to maintain that character which Englishmen have ever displayed, has a fair claim to the favour of the Legislature. I am warranted to pronounce, from the experience of the present session, the unanimity you have shewn upon former occasions, and the recent exertions you have made for the public defence. When I recollect, then, the temper which Parliament has uniformly manifested, I am sensible that it is needless to say any thing in recommendation of the principle, provided the measure itself be practicable. The leading object of the plan which I shall have the honour to propose, is to absorb a great quantity of Stock, to transfer a considerable portion of the funded security into landed security, and, by the redemption of the present Land Tax, to purchase a quantity of stock more than equivalent to the amount of the tax. That tax will be made applicable in the same manner as at present, but the proportion of stock it will purchase will be one fifth larger, presenting at once a considerable pecuniary gain to the public, and an advantage to the individual by whom the redemption shall be made. The chief recommendation of the plan, however, is, that it will

will diminish the capital of stock, and remove that which presses more severely upon us than any inconvenience with which our situation is attended. It is a truth now universally felt, a truth which the enemy have acknowledged, and which faction itself will not venture to deny,—that even in this stage of the war; the state of every part of our trade, our industry, and revenue, is astonishing and proud for this country; that our general capital and wealth is greater than they were even at its commencement; that our commerce, so far from having experienced a diminution as in other wars, has greatly increased; that our industry and manufactures, subject to those local fluctuations which are inseparable from a system so extended and diversified, have sensibly advanced; and that, on a general view, our situation exhibits every symptom of internal wealth, that we are richer, that we possess a greater command of capital than this country ever enjoyed at any former period. It is singular too, that under the depreciation which the funds have experienced, the price of land has maintained itself above the average of former wars, and equal to the price in times of peace; very little indeed below the unexampled state of a few years preceding the war.

I am aware that no argument is required to demonstrate the necessity of great exertion in the circumstances in which we are now placed. You have already expressed your opinion of that necessity, and have shewn your readiness to employ our resources. All then that is wanting is judgment and discrimination in the mode of calling them into action. If there be any chance of diminishing the capital of the funded debt, which is the only pressure by which our efforts are embarrassed, the measure by which it is to be effected is founded upon clear and substantial principles of policy: This is a principle upon which the House has acted in the course of the present session. Upon this principle you felt the expediency of making an extraordinary exertion to raise, within the year, a considerable part of the supplies. It is a further satisfaction for us to know, that the energy of the measure has been fully proved; that though difficult in detail, though encountered by considerable opposition on its appearance, and many obstacles in its progress, its advantages have been recognised by the country. Though necessary to qualify it by many modifications, which diminished the full effect which it was intended to have, yet the voluntary zeal of the country has borne testimony to the principle; and the contributions with which the patriotism of individuals has come forward for the public defence, furnishes the best proof, that in this measure, the Legislature

gislature was in unison with the sentiments of the people. From what I have heard, the objection to the measure of increasing the assessed taxes, has been, that it did not go far enough; and commercial men have declared, that it did not embrace sufficiently that species of property of which they are possessed. Whatever may be the decision of the House, as to the principle of the plan which I am about to propose, I am sure that any measures which tend to give effect to the same object, which will combine an annual saving with other collateral advantages, which, without imposing any new burdens upon the public, will be attended with considerable benefit to the nation as well as individuals, cannot fail to be received with the highest favour by this House, and to secure the approbation of the country.

In stating the principle upon which the plan proceeds, I am aware that I have claimed a great deal of merit to the measure: In this, however, I claim none from the proposal. The principle itself possesses that recommendation which usually belongs to good principles, that it is so simple that the advantages which are produced by its effects do not necessarily suppose a great share of merit in the proposer.

The amount of the present land tax is about 2,000,000*l*. This sum has been annually granted by Parliament for a century past, and has been levied at the same rate in different districts. The repartition which was originally made has continued so long, and the sum of 4*s*. in the pound for so considerable a period has never been exceeded, that it will readily be acknowledged that this sum ought not to be diminished, at least till many other burdens which weigh more heavily upon the public have been taken off. Taking this state then as that upon which the present land tax is raised, it is proposed, by changing the security of a part of the funded capital into landed security, to cover the two millions of existing land tax, two millions four hundred thousand of dividends. By this measure it is evident that, upon the supposition that the whole of the land tax were to be redeemed, the public would gain 400,000*l*. The terms upon which the purchase is intended to be made, while they produce this benefit to the public, will present that advantage to the land owners, which will render it eligible for them to redeem, and tempt them to give full effect to the measure. Eighty millions would thus be taken out of the market, and the public credit, relieved by so great a pressure, would be proportionably strengthened. Having stated this brief outline, I shall

shall advert to a few of the objections against the measure, which have yet come to my knowledge.

It is obvious, that the first step necessarily involved in the measure, is to render the present land tax perpetual, universally redeemable, and, where not redeemed, always subject to redemption according to certain regulations. There is one objection which at once suggests itself, and to which a very satisfactory answer occurs. I mean the objection that may be made on constitutional grounds. It may be said that, to render a grant which is now annual, perpetual, is to remove the constitutional checks of Parliament over the public expence, and to render perpetual what is now voted as an annual supply. I do not deny that the adoption of the present measure would create some alteration, but the objection upon the constitutional ground is very easily removed. Nothing can be more easy than to place under the annual controul of Parliament funds that are at present permanent equivalent to those which are taken away by this measure. Certain branches of the Consolidated Fund may be made annual, even to a greater amount than two million of land tax.—This would answer every purpose of constitutional controul. Ministers would not then have it in their power to apply money without consent of Parliament more than before. It is my intention, therefore, to move a particular resolution to obviate this objection. Such funds as Parliament may judge most expedient for the purpose of controul may be selected and submitted to annual vote, in the same manner as the land tax, and instead of two millions, the sum may be augmented to the full amount of the dividends which will be taken out of the market. Parliament will thus have the annual controul of 2,400,000. By this means it will so happen that the constitutional check of this House will for some years be more, and never will be less than it was before.

Another objection urged by some is, that from the present repartition to perpetuate the existing land tax would be to perpetuate an inequality which is so great as to form no inconsiderable abuse. They say, that if the tax were equalized, they would have no objection to render it perpetual. Let us consider this objection more closely and attentively. Since the Revolution, especially during the latter part which has succeeded, it has never been in contemplation to equalize the land tax by a new repartition according to the real amount of property, and the ability of different districts? We know that in this House, though the vote for the land tax had the

undoubted right to adopt a new repartition, no such proposition was ever made. With the experience of a century before us, then, if we have seen no such attempt ever made, it is more likely that it would be corrected, even were the vote to be annual, than if the grant were made perpetual?

I do not now argue whether it would have been right to revise the repartition at present established. I am ready to admit that I consider it to have been an original defect of the present plan of repartition, that no periodical revision was fixed. I think that it would have been wise to have made such a provision, and that it would have been happy for the country had it been done. Two important guards would be necessary; to prevent the inequality from being too great, and at the same time not to discourage improvement. That principle, however, not being at first recognised, and property having been since transferred without any attention to it, would it now be wise, just, or popular, to make a new valuation? I think not. If so many years experience has shewn that no inclination to establish a different repartition prevailed, ought we to allow much weight to the objection, that to perpetuate the tax would be to perpetuate the inequality?

I have likewise heard that it has been objected that this very measure would tend to introduce an equal repartition. It ought not to be expected that these opposite objections will come from the same quarter, and that a grievance will be felt both ways. It does happen, however, that the same mind embraces opposite and contradictory objections. Those who are determined to object to every thing, may continue to bring forward in a regular opposition arguments against a measure which do not proceed upon the same principle. On the present occasion, however, I do not expect that this mode of attack will be employed; at least I do not anticipate such a mode of opposition from any of those I now see before me. The question, then, is, does the present measure give any new facility for the introduction of a general land tax? If the measure did give any new facility for employing the substantial resources of the country, and deriving additional means of strength without distressing the people, I should be more disposed to claim it as a recommendation, than to consider it as a defect. In times like the present, whatever supplies us with the means of calling into action the real resources of the country, and giving new energy to the contest we maintain, would deserve the cordial

dial support of every man who is a friend to the happiness and prosperity of the country, and in a particular manner of those who would be the greatest sufferers, if the hostile designs of the enemy were to succeed.

The measure to be proposed to you, however, possesses no such recommendation. It leaves the question of a more equal repartition of the land tax precisely where it found it. Parliament now has the undoubted right to raise more than four shillings in the pound on the land, and what greater authority would it acquire were the present redeemed? If the whole were to be redeemed, for it would be sanguine to suppose that the whole will be redeemed within a few years by the owners, the only thing necessary to be provided as expressly as any legislative provision can guard, is that if ever a new land tax is imposed, it shall not be imposed upon those who have redeemed in any different proportion from that on those who have redeemed. It would be necessary to provide that the amount of what may have been redeemed should be deducted from any new impost. It appears to me that such a provision would secure those who shall take the benefit of redemption as much from any additional charge in future on that account as those who had not bought up their land tax at all. This, then, appears a sufficient answer to the general objections which have been suggested against the measure. As to the various details which it embraces, it would be idle to enter into any minute discussion of them, till the Committee has had further time to take them into mature consideration.

There is one objection, however, which is partly connected with the detail of the measure, and partly applies as a general objection. This regards the option to be given in the second instance to become a purchaser of the tax, provided the owner himself should be unwilling or unable to buy. Cases may occur in which the proprietor finds it inconvenient to make the advances necessary for the redemption. Great pains, however, have been taken to lighten this inconvenience. Every attention has been paid to give the landholder all the advantages consistent with the ultimate success of the scheme. It is of infinite importance to gain during the war every benefit which the measure is calculated to afford. It is of the utmost importance to secure that assistance to credit, which will supply us with the means of that resistance which our independence, our property, and our happiness calls upon us to make. For this reason the

landholder ought to have no unlimited and exclusive privilege in the purchase of his tax, though the terms will be such as to render it highly beneficial for him to become the purchaser himself. To enable him to take the benefit held out to him, every facility will be given him for raising money, and even should he lose the first opportunity of purchase, the redemption of the tax will not be hopeless. A period should be fixed at which he shall have the liberty to redeem, though on his refusal a third party in the first instance has become the purchaser.

Such are the views upon which the plan is founded. As to the terms upon which the purchase is to be made, I shall explain them very shortly:—payment of the redemption will not be demanded in money, but will be received in transfer of stock to the Commissioners for liquidating the national debt. This mode has the advantage of accommodating itself to the fluctuation of stock, and each transaction liquidates itself. The present price of three per cents. being about 50, affords an interest to purchasers of six per cent. At this rate stock sells at from 16 to 17 years' purchase, and the tax will be sold at 20 years' purchase. Every pound of annual tax, therefore, will be equal to 40*l.* capital stock. Should stocks rise to 75 the purchase will be 30 years, and the rate of purchase will thus vary one year with every variation of two and a half per cent. in the price of stock. From this statement of the comparative purchase of the stock and tax, it is evident that the public gains one fifth of the purchase by the transfer of stock.

As far as the landholder is concerned, the question then is, whether 20 years purchase will present a sufficient inducement to redeem, and whether 20 years be a sufficient advantage for what he parts with at 17 years purchase. This rests wholly upon the supposed difference between landed and funded security. Landed property in general throughout the kingdom sells at from 28 to 30 years purchase; funded at present from 16 to 17. We are giving landed security for funded, and at the rate of 20 years purchase. At this rate the share of advantage to the public is small, to the individual it is very considerable, if the advantage purchased is considered of the same description as landed property. I do not say, however, that its exactly of the same description as landed property; they are to be distinguished by their respective advantages and disadvantages. The benefit to the purchaser by redemption is less valuable than landed property

erty in this respect; it is dry and unimproveable possession. Land, however, is improveable, and it sells not only on its present value, but on the calculation of progressive improvement and speculative advantage. Other temptations to the purchase of land are command, influence, amusement, pleasure, occupation according to the temper and disposition of the purchaser. It cannot be said, however, that the purchase of this benefit is rendered more valuable by any of these advantages. It should be recollected at the same time, that the purchase of the tax, is not absolutely the acquisition of enjoyment—if not a freedom from vexation, is freedom from something which a man would wish to be without. It has this advantage too, that if not susceptible of improvement, it is attended with no risk. The purchaser is exempted from the care of management and the trouble of collection, and taking all the advantages and disadvantages together, it may be considered as a purchase of a very desirable nature. While the owner is thus induced to become the purchaser, the public, as we have seen, derives a very considerable benefit from the transaction.

The next part of the plan is to give a facility to the possessor of land also to become a purchaser. For this purpose it is intended to give the tenant for life or in tail, the same power to raise the money by burdening the property as proprietor in fee, provided, however, that the money so raised shall be strictly applied to the purchase of the tax. It is even intended to allow them to give a rent charge upon the property to the amount if convenient, to increase the facility of the possessor becoming the purchaser. It is likewise proposed to give the proprietors of settled estates power to sell such a portion of the state as shall enable them to pay off the purchase of the tax, providing that the money shall be strictly applied for that purpose.

Giving these facilities to the possessor to become the purchaser in the first instance, it appears necessary to fix a certain period, after which if they decline, third parties may buy. To these the terms shall be the same as to the owners. Landholders, however, are to have this superior advantage, that five years shall be allowed for the payment of the instalments. At the same time, however, if they shall avail themselves of this indulgence, they shall pay interest on the instalments, in order to compensate to the public for the non-extinction at this period of the purchase. Purchasers, not owners, are to pay up their instalments within one year.

It

It is necessary, therefore, in order to call the means of recourse thus furnished into action, to take third parties where the landlords decline. That the situation of such third parties may not be too precarious, and that they may not be too easily divested of the property they have acquired, some provisions must be adopted by which they may be secured, and at the same time the power of redemption preserved to the original owner. It is difficult exactly to say what medium will balance the right to be given to these two parties, which will present to the monied men the temptation to buy and reserve to the owner the power of redemption. The monied man must be induced to purchase by the difference which he supposes to exist between funded and landed property. This difference is greater or less according as the times are critical or tranquil. Land does not vary in time of war in the same proportion as funded property. Those who make a distinction in the value of land, do it upon its being less liable to fluctuation, and not upon any circumstance affecting the permanent value of stock. If then a third person shall purchase, the owner shall not be at liberty to redeem till a period arrives when the monied man shall be willing to return his money into stock, and the landholder shall have the means of raising money for his redemption. This period will be then at the happy moment when having surmounted the difficulties with which we have to struggle, and triumphed in the contest in which we are engaged; the consolidated fund shall have attained its maximum, and being no longer allowed to accumulate at compound interest, the dividends shall be made applicable by Parliament. This will be when the consolidated fund shall be 4,200,000*l*. Supposing then that by the exertions which we have made, and continue to make, we should go through the difficulties we have to encounter, and pass with success through this crisis of our fate, when the public debt shall be met by the Consolidated Fund there must be an end of all doubt of public credit; there must be an end of all question of national securities; of all distinction between landed and funded property.—That moment then when least discouraging for the monied man to revert to the funded security, shall be fixed for, the owner to avail himself of that redemption which circumstances had at first made impossible. If not redeemed within a given time, however, it becomes material to render the property permanent with the purchaser, to the exclusion of the owner. Three years, then, after the expiring of the ten years, at the close of which the power

power of redemption is permitted to the owner seems to be a fair extension of the privilege. It would give to the owner an opportunity to purchase, of which, from his circumstances, he was unable to avail himself on the first offer.—It will give him time for preparation for domestic arrangements, and for raising the necessary funds. Thus no party will have reason to complain of his situation. Provisions are made to secure to each the advantages which he will be most likely to prefer.

In the transaction the situation of the monied man is precisely this. During a period of difficulty and danger, he has got a landed security instead of that of the funds. This case, however, will require two regulations; first, that if any person, not the owner, has purchased by the transferring of an annuity, he shall be paid the same quantity of stock upon the redemption, which he had transferred without regard to the price of such stock. Thus, supposing he had transferred to the public in payment when stock was at 50, and in the interval it should rise to 75, he will derive all the advantage from the rise, and may thus realize fifty per cent. upon his capital. At the same time he is to have no risk in case of a depreciation of the funds. Should they fall below 50, he is to be reimbursed to the extent of the difference. The situation of the stockholder who becomes a purchaser of the tax is precisely this, that he is speculating upon a rise without any hazard of loss from depreciation.

I have stated these points to shew the general tendency of the measure. It will now be seen, that it is liable to no general objections which do not admit of a remedy; that the difficulties in the detail are not such as to impede its progress; that the advantage to the public is considerable, and the benefit accruing to the individual such as will render it an object for him to purchase. While the monied man is induced to come forward to assist the State by purchasing the tax, a remedy is reserved to the owner, to enable him, at a fixed period, to repair the disappointment he may have sustained from his original inability.

A variety of details must be involved in a measure like the present, but there are none which appear to be attended with great difficulty. On the present plan of repartition, the amount of particular districts remains unaltered, though it may vary within the district, with the improvement or decline of the various parts. In the metropolis and considerable towns this is particularly the case. In the parish of Marybone the
extensive

extensive improvement has rendered the repartition lighter, while in other districts it may become heavier from an opposite cause: Provision, therefore, must be made for the position of an owner purchasing in the different cases of increase or decline.

The most advisable regulation certainly would be, that of leaving it to the option of the owner, whether he will submit it at the present price that shall be offered to him, or take it according to any future assessment to which it may be subject; the augmentation on which, as it is intended to be proportioned to the present local inequalities in the Land Tax, will nearly produce the same effect as if that impracticable plan of a general equalization was to be adopted. But in case of a third person purchasing a part of this tax, he shall be entitled to receive an abatement proportioned to the fund, which he may give in exchange for the tax. Therefore it will be extremely material to consider who the purchasers are to be, whether the land-owners, or other persons not having any property in the land; to see what circumstances may belong to particular places, and whether there may not be a great surcharge in some parishes, and none in others. But it is not necessary for me now to enter into those minute circumstances, which may be better discussed when the business shall come before the House for its consideration, and which will be introduced by way of regulation into any Bill that may be brought in, if the House shall agree to the resolutions I mean to bring forward. It would also be desirable to allow a person to purchase not only a certain portion of the tax, but a given share of a district.

These are the circumstances of the case which I have to lay before the House, and which I have conveyed in as short a statement as I was able. The object is one which requires consideration. In the first opening of the matter I avoided going into any minute detail; and although I feel it a matter of propriety in the out-line, and such as deserves at least a favourable hearing, yet I wish it to be examined carefully, weighed dispassionately and deliberately, and that Parliament may consider whether it is not such a measure as they ought in their wisdom to adopt at this arduous moment?—I shall follow the practice I have observed in other instances with respect to the form of proceeding; that of moving the first resolution, and afterwards all the others in point of form, and then postpone the consideration of the substance of the plan another day. I should propose taking the opinion of the House

House upon them on Thursday; and then that the whole subject should go over until after the holidays, in order that Gentlemen may take them into the country, have an opportunity of conversing with their constituents, and learning whether any local circumstance may, in any case, render alteration necessary. I should now, without any further trouble to the Committee, move the first resolution; but perhaps the Committee would wish to hear a statement of the heads of the Resolutions.

The first resolution declares that the land tax should be rendered perpetual, subject to certain modes of restriction, regulation, and redemption.

The second provides for the appointment of Commissioners to sell the land tax upon the terms and at the rate I have already stated.

The third gives power and preference to the owners of land to purchase the land tax according to the nature of the interest they have in the estate, whether a fee or otherwise, and that in the event of the person in possession declining to purchase, that the next in succession, or the remainder man may do so. And that any third person may make such a purchase for the owner, &c.

The fourth gives power to owners to sell part of their estates, or raise money by way of rent charge, to enable them to purchase the tax.

The fifth gives power to third persons, the owner of the land having declined it for a given period, to purchase the tax.

The sixth describes the mode in which the payment shall be made.

The seventh regulates the power of the Collectors in receiving the money.

The eighth limits the time during which the power of redemption shall continue.

The ninth imposes a penalty on those who purchase and do not make good the payment of their instalments.

The tenth provides that if any assessment which shall continue to be charged shall be found to exceed 4s. in the pound on the annual value of the messuages, &c. an abatement shall be made.

The eleventh prescribes in what manner a register shall be kept for entering proceedings under this plan.

The twelfth provides that when the whole land tax shall be bought up, the assessment shall cease.

The thirteenth transfers the business of the Commissioner
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appointed to carry into effect the plan for the reduction of the National Debt.

The fourteenth provides the assessment of the Commissioners appointed to carry into effect the plan for the reduction of the National Debt.

The fourteenth provides, that in case any additional land tax should be imposed, it shall not operate heavier on those who have purchased the former tax, than on others.

The fifteenth contains an account of the sum of 1,400,000*l.* which it is intended to produce annually.

This is the proper statement of the heads of the Resolutions which I propose to be discussed hereafter; but if any Gentleman has any thing to offer now, I should be glad to hear him.

Lord *Sheffield* said, that the measure now before the House was the most extraordinary, the most rash, and the very worst that ever was proposed to Parliament. It appeared to him to be a more unjust measure than if the last assessment had been quadrupled and offered up for sale. It appeared to him to be an insult to the understandings of men to say, that they may borrow money to buy up the land tax, when it was well known that men could not borrow the money to pay the assessed taxes already imposed. For these reasons, he did not see how he could acquiesce in this measure. But this was not the time for entering at large into the question.

Mr. *Tierney* said, he agreed with the noble Lord who spoke last, that this was not a fit time to enter fully into the discussion of the measure now before the House; and indeed he should not think he acted with decency, if he did not avail himself of the suggestion of the Chancellor of the Exchequer, to take time to consider of this important business. Besides he knew how unfavourable an hour for a speech six o'clock was. But he must, however, make a few observations, under whatever disadvantages he might labour. The Chancellor of the Exchequer had so happy a talent at construing silence into approbation of his measures, or rather of construing silence into unanimity, that it became necessary for him to thwart that artifice, and to take care that when he came hereafter to speak more at large upon the subject, the minister should not have it in his power to say he was opposing a measure in detail, to which he had assented in the opening. This measure struck him at present as a measure to which he could never assent. He thought it struck at the principles which were the foundation of our security in the possession of property. It was a measure from which the minister himself, although not a very timid man with regard

to questions and schemes of finance, did not expect much pecuniary advantage in any way, except in increasing the price of the funds. It was true, if the plan succeeded to its full extent, the public would benefit 400,000*l.* a year, for the minister stated it to be so; but the committee must perceive at once, from the manner in which the right honourable Gentleman stated it, that he himself, who was not one of those who were the least sanguine in his expectations upon these subjects, did not expect any such effect from the measure; he did not say that the scheme was very favourable to the landed gentlemen, nor that its operation would be very rapid, for he had stated it as the work of many years to bring it to maturity; nor did it appear that the country gentleman could ever have the full benefit of the plan, whatever that might be, unless he had a sufficient capital to redress the tax.

With respect to the stockholder, he did on a former occasion lay down a position which he would again maintain to be true, that nothing could so directly tend to endanger the stock as any attempt to give it assistance by schemes of finance of any kind. That the best security the stockholder can have is his bond. Let him be content with the punctual receipt of his dividend, for, to that, with all its inconveniences, he was bound to submit, and in that, with all its advantages, the legislature was bound to protect him. He could not conceive but that this measure was intended to give the stockholder improper assistance, but it would not have even that effect. This the committee would see by looking at what was the effect of the rumour of this measure, which was on Thursday last: the Bill was not yet passed; but there was an opinion entertained out of doors, no matter how erroneous, but there was an opinion entertained by some weak people, that whatever the Chancellor of the Exchequer proposed was precisely the same thing as if it had passed into an Act of Parliament. This he knew to be an erroneous opinion, but many men had already taken this measure up as if it had passed both Houses of Parliament, and had acted accordingly, and therefore it was fair to look at the effect it had upon the stock. Had it improved much the condition of stockholders? He spoke in the presence of many Gentlemen who were just come out of the city, and who were very good judges of what was passing in it in money affairs, and he should be glad to hear them state what beneficial effect this measure had had upon the funds. He could go further, for he would say he believed it would have a contrary effect upon the funds. Some Gentlemen might perhaps run away with

an idea that this measure was for a redemption of stock, like that of the plan for the reduction of the national debt. He denied that there was the slightest similarity between them. The stock purchased by the commissioners for the reduction of the national debt was so far a relief to the funds by taking so much away from the market, and that stock was not funded in any other shape so as to be a burthen upon the public. This was to withdraw, according to the minister's calculation, about forty millions of capital out of the funds; but he maintained that even if it did, and that was conceding a great deal too much, it could never be so beneficial to the country, as if it was left to be employed in agricultural pursuits, or applied as the owners pleased in the purchase of stock. When the commissioners shall have purchased this stock under the provisions of this plan, the stock would not vanish; the substance of the public burthen would be still the same. It was only taking eighty millions nominally out of Change ally for a while, and to enable monied men to enlarge their capital by speculations. It was a mere traffick in a marketable commodity, and had nothing to do with any permanent relief to the funds; and unless there was a mass of superfluous wealth in the country, the landed Proprietor could never have any relief by this measure, because without great wealth men could never embark into a plan of this kind, without bringing upon themselves prodigious inconveniencies. Conceiving it to be of no advantage to the land-owner, and of no advantage to the stock-holder; and seeing that the minister was disappointed in not getting the stocks up, he thought there was no prospect of any public benefit to be derived from this plan. The Chancellor of the Exchequer was, perhaps, about negotiating a loan, and wished to have some advantage in that particular. He had great respect for the talents of the right honourable Gentleman, he had great powers for convincing many people, and perhaps in outwitting others; but in a business of this kind; whatever he might conceive of himself, there were in the city a number of gentlemen of a different religion from that House, and who were too much for the minister in money transactions; and the upshot of the business would be, that he who wanted to deceive others, would himself be duped; but unfortunately the country gentleman would be called upon to defray the expence of it. Indeed the right honourable Gentleman would gain nothing by this measure but a little temporary popularity with the monied men: and here again he must say, that the connexion

nexion between his Majesty's ministers and monied men, of late years, had been too close, and led to measures highly injurious to the interests of the public. He was not able to see any good to the stock-holder in this measure, in any point of view. With respect to the land-owner, he could say a great deal more, but that he should leave to abler hands.

There was one point more; and that was a point upon the constitutional tendency of this measure. The minister, feeling, and he could not help feeling, that it was a point that must strike the House with alarm, that they must entertain a jealousy at finding that the sum of money which had been annually voted towards paying the army and navy was to be made perpetual, said, that he had an answer to that objection which would be satisfactory. He first said that the money to be thus applied had been annually voted, from year to year, for near a century; an answer with which he was neither satisfied himself, nor expected the House to be satisfied with it. It would be extraordinary if they were; because it was taking away the power of that House over a vast sum annually of the public money; and perhaps he recollected that he had, during the sitting of Parliament, applied a million and a half of the public money without applying to Parliament upon the subject. The right honourable Gentleman suggested another answer, which was, that a part of the revenue, now existing, and made perpetual should be made annual.—Now to say the truth, he hoped he had not correctly comprehended the right honourable Gentlemen in that particular. If he did, to be sure nothing could be more extraordinary than such a statement. It amounted to this, that those taxes, which were made annual for the security of the power of the House of Commons over the King's ministers were to be made perpetual; and that which was made perpetual for the security of the state, was to be made annual; this was the minister's dextrous management to answer purposes of his own; by which the constitutional power of the House of Commons was invaded, and by which the public creditor was deprived of the security which Parliament stood pledged to preserve inviolate. If he was in an error, he should be glad to be corrected, because he did not see that he could alter any thing that the Minister proposed in that House, and the Minister, he supposed had already given a tone to the measure. It would be a great satisfaction, at least to him, to find that the constitution was safe. The point was of too much magnitude to be passed over, and he should be obliged

to the right hon. Gentleman if he would have the goodness to explain the matter.

The *Chancellor of the Exchequer* rose to explain, and said, that he could not help thinking from the speech he had just heard, that the honourable Gentleman understood neither him nor himself. The honourable Gentleman had spoken as if it were a thing perfectly new and unconstitutional to alter a tax, or divert the application of its produce from one purpose to another.—But surely the honourable Gentleman's memory must be more treacherous than usual on this occasion—was it really a truth that the House had no power to relieve from or alter any duty? Had the honourable Gentleman himself never voted, or had he forgotten that he had ever voted for the relief from or alteration of a duty? Was it not the fact, that Tax-bills were repealed in almost every Session? Had the right honourable Gentleman forgotten, that the duty on spirits, amounting on an average to 900,000*l.* a year, had been altered from time to time, as the wisdom of the House thought expedient? If the House looked to the customs, they would find that many of the taxes which were appropriated to the consolidated fund, were in their nature temporary, and voted only from time to time. He called upon the House to recollect what the real truth was—Parliament had pledged themselves to make the consolidated fund good, no doubt in such manner and by such ways and means as they should find most advisable, either by permanent or temporary taxes. In truth, the honourable Gentleman seemed to be utterly ignorant of the tendency of the measure; for he had spoken of it as a violent incroachment on the rights of the public creditor, as secured by the consolidated fund; in point of fact, it was intended, and would be found in its operation, to relieve it to an immense amount, by taking a sum of 80,000*l.* out of the market: and this so far from depreciating that fund by making the supply for it annual, would improve it, by making it so far permanent. Thus it appeared the hon. Gentleman's conceptions of the case were fundamentally erroneous. But if it even were the case, that his principle was correct, the only difference it could make would be, that it would make a more complicated clause necessary.

The honourable Gentleman had said, that one motive for his speaking at this stage of business, when discussion would be premature and useless, was to prevent his silence from being construed into unanimity. Why the honourable Gentle-

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man should be apprehensive of that he was unable to conjecture. He assured the hon. Gentleman that he knew him too well to take his silence for concord or unanimity—he had often found his opposition most obstinate when preceded by a silent acquiescence in the first stages of his measures; so far from having meant to imply that that was the hon. Gentleman's habit, he had spoken merely of his conduct on the late measure, now in its passage through the House, for the defence of the country. And he assured the hon. Gentleman, he had alluded to it in a way that he thought would have been extremely consolatory to his feelings, as the hon. Gentleman had on that occasion taken infinite pains to make a display of his acquiescence, and to proclaim to the world that he had added to the unanimity with which that measure had been adopted. He professed to be at a loss to divine what was the tendency of the hon. Gentleman's objections: one half of them the hon. Gentleman had contented himself with leaving to other support than his own, having argued only on the proposition that the measure would injure the public creditor, and resigning to more able hands the maintenance of his other proposition; that it would be injurious to the landed Gentleman. This task had been undertaken by a noble Lord (of vast ability no doubt, [Lord Sheffield] who had pronounced the measure to be the most extraordinary, the most rash, and the very worst that had ever been brought before Parliament, without having condescended to assign one single reason for that weighty denunciation. How the noble Lord could make up his mind to apply such terms as he had done to a measure which carried in it no compulsion, and which, so far as it related to the landed Gentlemen, was perfectly optional, and which created no new burthens, he should have been vastly puzzled to conjecture, were it not that he knew the noble Lord sometimes expressed himself with more ill-humour than he felt at bottom—that he was in the habit of speaking positively without thinking very deeply, and, in his ardent zeal for the propagation of his own hasty notions, frequently laid down propositions which, on cooler reflection, he thought proper to retract. Making this allowance for the noble Lord, and convinced of his Lordship's zeal for the public good, he would say nothing further on the subject, but intreat that his Lordship would do himself the justice to read the resolutions before he again undertook to censure them. He would, therefore, leave the noble Lord, and turn again to the hon. Gentleman (Mr. Tierney) whom

whom he did not know, whether he should most thank, that one part of his argument contradicted the other, or that a great proportion was so completely in favour of the measure, that it might save him the trouble of answering his objections; for while he argued that it would go to hurt the public credit and stock-holders, he insisted that it was a proof of that dangerous connection between Ministers and the Monied Interest, which ought so much to be deprecated, and in fact was no less than a *donus* to the monied men of the country; but how either of these two contradictory propositions were so, he had not had the goodness to explain. Not content with laying down positions thus at variance with each other, the hon. Gentleman had laid to his charge as a fault, that for which he trusted he rather deserved praise. The hon. Gentleman had said, that he (Mr. Pitt) had from time to time offered for the adoption of the House, a variety of financial measures, which he had afterwards altered. In his mind he had, in doing so, exactly done his duty; for it was in the first place his official duty to urge whatever he thought necessary, and if when it came to be discussed, he was shewn that it was defective or very unpopular, it was certainly his duty to conform to that which he found to be right, and to yield to the public opinion. But this accusation was directly of a piece with the hon. Gentleman's conduct in the case of the Assessed Taxes—there the honourable Gentleman had attacked him for modifying the tax after the Bill had been brought in, and had actually called upon the House in the name of his constituents to reject the tax, because all his own objections to it had been done away. Not less extraordinary was the hon. Gentleman's argument that the measure could not raise the Funds, because the report that it was in agitation had not yet had any effect upon them. He believed the House would agree with him that such an argument was at least premature. When the measure had undergone a little more consideration, it would be time enough for the hon. Gentleman, and he would be better able to make such a remark. It would be strange indeed, if the bare announcing of a measure was to produce the same effect, as the accomplishment of it:—had that ever been the case in a single instance? The announcing of the plan for the reduction of the National Debt did not produce any immediate change, but in some time afterwards, its effects were so powerful, that the funds rose nearly to par. It was, therefore, the oddest argument he ever heard, for the hon. Gentleman

man to contend that the funds would not rise, because they had not risen in consequence of his barely mentioning this measure, and before the public knew what the nature of the plan was, or before any one proposition on the subject was submitted to the House. If the hon. Gentleman's object, in his present opposition, was to obstruct Ministers in every thing, from an idea that their destruction would be a public blessing, it was not to be wondered, that he was desirous even of preventing a plan that was likely to be attended with great public benefit. If, however, the hon. Gentleman could contrive to verify, and make good his allegations, that is to say, if on the one hand the measure would operate as a *bonus* to the landed men, and on the other the country was benefited, and the landed interest accommodated, not only without taking from, but actually adding to the public purse, so far from having cause to fear, he would have to thank the hon. Gentleman for his observations; for the measure would go ahead with much greater advantage from the hon. Gentleman's short speech, than it could possibly derive from the long speech with which he himself had prefaced it.

Mr. Tierney observed, that if it was true his short speech had forced to recommend this measure of the right hon. Gentleman, another short speech could not but be regarded as some proof of respect. But he was not very much inclined himself to imagine, that, with the unsophistical and candid part of the Committee, his short speech would pass merely as a recommendation of a measure of which he could not approve. The right hon. Gentleman, however, had in very plain terms accused him of using unparliamentary language, and it was on this account chiefly that he again addressed himself to the Committee. Certainly it was in the nature of an attack on his parliamentary language, to be told that he had said, that the members of the British House of Commons were so wholly mechanical, as that any measure the Minister might think fit to propose would unfailingly experience their support. And what other had been the purport of the right hon. Gentleman's misconstruction of his words? But the Committee would remember, he had not said that that House voted always with the right hon. Gentleman. What he said was, that ignorant people out of doors, who could not, from their situation be supposed to know any thing of the independence of certain Gentlemen, or that the House of Commons was filled with so virtuous a class of men, often believed, that any measure the Minister proposed would be adopted by

by Parliament. Large bodies of men, in situations not wanting of means to afford them information, were also too apt to think that the right hon. Gentleman no sooner proposed a Bill than it was passed.

With respect to the accusation made against him, of having adopted a strange mode of argument; all that was strange in it had been the result of the honourable Gentleman's dexterity at misrepresentation. When the right honourable Gentleman stated him to have said, "that the funds would raise, and that they would not," all he had meant distinctly was, that if the measure was intended to benefit the country in its present difficult struggle, it would most certainly not have that effect. Instead of any advantage or profit arising from such a transaction to the country, the money would go into the pockets of the monied people, and not into that of the public. Undoubtedly the stocks might experience a rise in the progress of such a scheme of finance as the present; but that rise would, he contended, be temporary, while, in the end, the effect would be to depress them; or, if they did not ultimately rise, only individuals would benefit by it. Thus did he consider himself warranted in saying, that if this was not a *bonus*, at least it held out a lure to those who might be desirous of contracting for a loan. The right honourable Gentleman had equally mistated him with regard to what he had said on the subject of the Consolidated Fund. He had not great pretensions, but he did think, poor as might be his capacity, he had understanding enough to know, that the Consolidated Funds and taxes were not the constitution. So far from having confounded these, he well knew that they were in all respects different; and he was much mistaken, if the constitution would not survive them both. In replying to his observations on the intention of making the Land Tax perpetual, and rendering some tax that was permanent annual, the right honourable Gentleman, with his accustomed loftiness of tone, had asked, "What, and has not the honourable Gentleman yet become sufficiently acquainted with the history of Parliament, to know, that almost every session there is some tax repealed, in order that another may be imposed, while yet the faith of Parliament, as pledged to the public credit, remains untouched?" It was true, the daily experience of Gentlemen had taught them, that tax-laws were frequently repealed, and, as for himself, he could not have been so long in the habits of hearing the right honourable Gentleman without hearing also of repeals. The right honourable Gentleman had, indeed, a knack of turning about, with uncommon

mon agility, from one side of a measure to another, and, without being singularly pliant in his disposition, he yielded with great readiness to attempts at repealing a tax, provided a substitute was as readily approved of. But he was by no means ready to admit, that the present was a case which, in its nature, at all assimilated to that other mentioned by the right honourable Gentleman. If, indeed, the Consolidated Fund had produced a surplus, the right honourable Gentleman might do with it what he pleased; but certain he was that that fund did not then do more than barely meet the charge upon it. He would ask then, whether, if in this situation, it would be right to render annual what had always been considered perpetual, and on the good faith of which rested the confidence of the public creditor? Would it be said, that 2,400,000*l.* of the consolidated fund could be directed for the purpose of promoting this scheme without injuring public credit? It would be a violation of the faith of Parliament, and he could not admit that the proposed appropriation of the Consolidated Fund would be any check on the influence of the Crown; until the right honourable Gentleman had shewn that there was a surplus. In fine, from every view he could then hastily take of the subject, he was in his own mind persuaded, that the inconvenience arising to public credit now from any excess of funded capital, would not be remedied, but it would injure the public most cruelly and unjustly.

Lord *Sheffield* explained, and said, he had stated at the outset of his speech, that as the subject was not yet ripe for discussion, he would not enter into any argument in defence of his objections; and so far from having ever retracted his opinions as charged upon him by the Chancellor of the Exchequer, he could not call to recollection a single instance of having had his opinions changed by the right honourable Gentleman's reasoning or eloquence.

Mr. *Hawkins Browne* entered into a short defence of the measure, as being founded in wisdom and good policy, and peculiarly necessary in the just and necessary war in which we were engaged. He confessed that he was much astonished to hear the noble Lord say, that it would be injurious to the landholders, and declared, that so far from that, he very much doubted whether it would not be too beneficial to them; at all events, it could not be injurious to them, since it was left to their own option to redeem it or let it alone. The noble Lord had said, that the landholder would not be able to redeem his tax; but that was an objection which went only

to the efficacy, next to the expediency, of the measure. Of the peculiar duty of the Landed Gentry to contribute to the exigencies of the State at this period, there could not be a doubt; because not only the war was for the protection of their property, but they had suffered less by it than any other class of people; in fact, they could hardly be said to have suffered at all, for, astonishing as it might appear, it was true, that rents were now as high as ever. And, as to the funds, he would maintain, that it was impossible but they must rise when the number of sellers were fewer, and of buyers more, which would be an effect produced by this Bill.

Sir *Benjamin Hammett* considered it a mistaken opinion that the country was driven to the physical necessity of raising the supplies within the year. He knew the country had the ability to do it, and the exertion was worthy of a nation opposing the progress of a ferocious enemy. He did not, nevertheless, think the present a politic measure in every point of view; and instead of taking Stock in payment of the Land-tax, he wished the Chancellor of the Exchequer had proposed that it should be paid for in hard cash. But while he threw out this hint, he was far from offering any opposition to a further increase of the Land-tax; he already paid 500*l.* towards it, and would pay double that sum to promote the welfare, and provide for the defence of the country.

Sir *William Pultney* was willing to agree that it was highly proper that a sufficient delay should intervene between the proposal of the plan now submitted to the House and its ultimate discussion, for it was of a magnitude and importance that called for a minute inquiry into its merits or defects, which inquiry could not be duly gone into without the subject having been fully and maturely examined. But though the present might not be the fittest moment for entering into that discussion, he saw no impropriety in any Gentleman's throwing out such objections to the plan as, from the first view of it, might strongly press upon his mind; and this was the time of conduct which he himself was desirous to pursue; for though he would reserve the greater part of what he had to offer on the subject till after he had more strictly scrutinized it, he would in the mean time express what was the impression which the speech of the right honourable Gentleman who opened the business had immediately made upon his mind. And, in the first place, he was very far from agreeing with the right honourable Gentleman, that the measure now proposed by him would, if carried into execution, be attended with

with very beneficial effects, in relieving the present exigencies of the country, and adding to the resources which it required, in order to carry on, with vigour and effect, the arduous contest in which we were engaged. In his opinion it would be attended with consequences of a totally contrary nature, nor would he hesitate to declare, that, by adopting the plan now proposed to the Committee by the Chancellor of the Exchequer, that right honourable Gentleman was going to make a very bad bargain for the country, which far from promoting, would tend to defeat the very objects he had in view. From what he had been able to collect from the speech in which the plan was explained to the Committee, it did not appear to him, as if the right honourable Gentleman had viewed and taken in all the sides of it—it was a plan, indeed, which seemed to have much of splendour and magnificence in it, and this magnificence might acquire an additional swell from the powerful eloquence with which the right honourable Gentleman was in the habit of unfolding his plans to the House; but however it might appear magnificent in its outline, it would not, on a deeper examination, prove to be very solid. There was a variety of topics, which, on a future occasion, he would touch on, and have discussed; but he was now bold to say, that the result of the plan was to sell a perpetual 5 per cent. He could not believe that the right honourable Gentleman would have ever thought it reasonable to propose to Parliament to raise money by a perpetual 5 per cent.; for surely this mode of raising money differed in nothing from raising money by a 5 per cent. stock; it was even doubtful to him, whether stocks would experience any rise by any quantity of stock being redeemed by this measure: stocks were as low during the American war as they were now, yet our capital was not then so great; it might be said, but he would not believe it, that the wealth of the nation had since been doubled; but be that as it may, it was his opinion that the amount of capital did not influence the price of stocks; it was by the greater or less proportion of confidence reposed by the public in the security of Government, that the state of stocks was raised or depressed; they had nothing at all to do with the amount of capital; but for the present he had only to repeat, that the plan now proposed went to raise money on the very extraordinary terms of a perpetual 5 per cent.; it was therefore proper, that sufficient time should be given to the House thoroughly to examine the nature and tendency of this new and momentous measure; nor could he approve of the extraordinary precipitancy of the honourable Gentleman

man (Mr. H. Brown), who found every thing right and laudable in the measure though he had heard its merits discussed and descanted on only by the right honourable Gentleman who had just proposed it to the House.

The *Chancellor of the Exchequer* professed himself ready to improve his plan by any hints which might hereafter be thrown out by the worthy Baronet, or any other honourable member; but at present he could not help expressing some surprise at the measure being found objectionable, as borrowing money by a perpetual 5 per cent. Surely the observation of the worthy Baronet, that this was borrowing money at an higher rate than was ever proposed to Parliament, must appear an observation unworthy the acuteness and financial knowledge usually displayed by the worthy Baronet. For this would be the case only while the stocks were at 50. The remainder of the land tax would bear a different price, in proportion as stocks might afterwards rise. There was no question of a nominal 5 per cent. nor could it be proved that so heavy a burthen had not ever been entailed on the country; for borrowing money at present in the 3 per cent. would be entailing a perpetual 6 per cent. annuity on the nation; as to the quantity of stock not influencing its price, surely this was not consistent with common observation, for the quantity of stock, like that of every other commodity, must *ceteris paribus*, more or less determine its price.

The Chairman then reported progress, and the committee was ordered to sit again on Wednesday.

DEFENCE OF THE COUNTRY.

On the motion for the third reading of the Bill, more effectually to provide for the security of the realm, &c. &c.

Mr. *Nicholls* said, he had not opposed this bill in its progress through the House, because it had been suggested by his Majesty's ministers that additional powers were necessary to enable his Majesty to defend his dominions. The Ministers had better means of being informed than he could have of the probability of an invasion. They were also better acquainted with the extent of the existing force which could be employed to resist that invasion. With these sentiments he could not resist the demand of the additional powers about to be granted by this Bill; but he desired that it might be understood he concurred to this Bill solely on the ground that these additional powers were necessary for our defence—that if the minister availed himself of this bill to detach a part of our regular army to enforce the system of coercion in Ireland, his

his concurrence in this bill was procured by deception. He thought that perseverance in the system of coercion in Ireland would prove destructive to this country. History had shewn us that all attempts to coerce free men, who complain that their rights are violated, have been uniformly ineffectual—

[Mr. Nicholls was here called to order by Mr. Banks.]

The *Speaker* observed, that in the view the honourable member was taking of the subject, he thought him perfectly regular, otherwise he would have called him to order.

Mr. Nicholls said he believed he had been perfectly in order. The bill contained a grant of additional powers. If those powers were wanted for one purpose, viz. the defence of the realm, he assented to the grant—if they were wanted for another purpose, viz. the coercion of Ireland, he thought it his duty to resist the demand. The King had lost six millions of subjects in America by the folly of former ministers, who had endeavoured to coerce the Americans when they complained that their rights were violated.

[Mr. Nicholls was called to order by the *Speaker*, as digressing into the American war, and arraigning the conduct of the former ministers; but he apologized and again proceeded].—

If the present system of coercion in Ireland was pursued, he feared the King might lose his subjects in that island also. It had been suggested by the Chancellor of the Exchequer that there were descriptions of men in Ireland who had entered into connexion with France. It was possible that this might be true; but there wanted not examples in history to shew that men might be brought back to their allegiance by conciliatory measures, even after they had committed treasonable acts. Philip II. had, by conciliatory measures, regained ten provinces of the Spanish Low Countries, after the inhabitants had been in open rebellion. But no instance could be shewn in history that coercion had ever regained them.—[Mr. Nicholls was again called to order, and sat down.]

The *Chancellor of the Exchequer* then rose, and observed, that if the honourable Gentleman who just sat down was not disorderly, his observations, at least, were superfluous. The purpose which that honourable Gentleman was pleased to suppose to have given rise to the present measure, had never been so much as suggested or hinted at, either by those who approved of the measure, or by those who opposed it. In-
deed

Good Ireland had never been so much as mentioned; for his part, he would never suffer any Gentleman to carry his ignorance so far (and on the present occasion that honourable Gentleman confessed his ignorance with respect to the state of Ireland) as to indulge wantonly in the most mischievous misrepresentation, and to represent as struggling for the enjoyment of their legal rights, men who were known to be rebels, conspiring in open treason with our most avowed and inveterate enemy, in order to erect in Ireland a Jacobin Republic; yet, with regard to such men, we were daily called on to employ conciliation; as if it were by tamely surrendering to rebellion that order and tranquillity could be restored, and not by exerting every means of vigour, by which alone that spirit could be crushed and extinguished which went to the annihilation of all the political institutions, in the praise of which the hon. Gentleman (Mr. Nicholls) had been so loud. Was that honourable Gentleman duly aware, that while he thus spoke of relaxing the just severity of Government against such men as he had described, he was only encouraging the apostles of the Rights of Man, who after the imitation of France, were now spreading through every part of Ireland, carnage, bloodshed, and devastation, he would undoubtedly be rather disposed to strengthen the hands of Government, by which alone this daring and outrageous spirit can be suppressed, than to contribute to give it countenance by his speeches, as it had already been but too much countenanced and emboldened by speeches and publications, by meetings and clubs on this side of the water. The system now pursuing in Ireland, was, in his conviction, a system of defence that was absolutely necessary for the protection of the well meaning and loyal part of that country, and for the disappointment and punishment of those whose profligate machinations were every day plotting the destruction of order and of the constitution. He would therefore again repeat, that he would never permit any member of that House to make such mischievous misrepresentations, without giving them a direct contradiction, and without marking them with those epithets of disapprobation which they so loudly called for and so justly deserved. He could only defy the honourable Gentleman to explain what he had advanced.

Mr. Nicholls rose to explain, but as he again digressed into the state of Ireland, and the order issued by General Abercrombie, he was reminded by the Speaker that that was not explanation.

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The *Chancellor of the Exchequer* then brought up a clause, enacting, that all those who should enrol themselves in Volunteer corps, should not be called out but in case of actual invasion, or in case of real danger, &c.

This clause was added to the bill, which was then read a third time and passed.

The committees of Supply and of Ways and of Means were deferred till Wednesday, and the other orders of the day were postponed till Wednesday the 17th inst.

Several accounts, orders, and regulations were presented from the committee of the African Company for the year 1796, and ordered to be laid on the table.

Adjourned.

HOUSE OF COMMONS.

TUESDAY, April 3.

The commitment of the Alien Bill was put off to Thursday.

General *Waspale* put off his motion about the Maroons to Thursday; in compliance, as he informed the House, with the desire of several Gentlemen around him.

Mr. *Tierney* desired to know when the list of Pensions, for which he had moved, was likely to be laid upon the table—He answered from the Treasury Bench; the next day.

Mr. *Wilberforce* presented a petition from the people called Quakers, against the continuance of the Slave Trade.

Mr. *Whitbread* asked Mr. Pitt, whether he had any intention of bringing in his promised Bill for amending the Poor Laws, during the present Session?

The *Chancellor of the Exchequer* said, he hardly imagined the multiplicity of business, that pressed for dispatch, would allow him to bring it in during this Session.

SLAVE TRADE.

Mr. *Wilberforce* began by observing, that though the subject of the Abolition of the Slave Trade was one, with which he had been so familiar that there scarcely had seemed to be room for any new emotions, yet on turning his mind more immediately to this great question, and fixing his attention more closely on the several particulars included within it, so many new and powerful feelings rushed into his mind, as almost to disqualify him for the cool and deliberate discharge

of the duty he was now undertaking—Feelings of regret and pity—of surprise, shame, and indignation—these were excited within him but too naturally, when placing before him the horrid circumstances of the cause he was about to plead, he recollected where, and before whom, it was that he was pleading it. That it was before that very House of Commons, which had acknowledged the reality of all the evils he had stated, and had resolved ere now to put an end to them. It was a matter of solid comfort to his mind, Mr. W. declared, that, whatever were the various feelings the present occasion called forth within him, a feeling of remorse was not of the number. His conscience did not reproach him with having betrayed or neglected this important business; and it was because he was resolved to continue a stranger to this worst species of accusation, that he was now about again to bring forward the question. After the conduct which the House had already pursued, he scarce knew how to hope or almost what to wish, but he was resolved on giving them one more opportunity of wiping away the foulest of all blots on their own character, and on the annals of their country: And first he must require the resolution to be read to them which had passed in 1792, declaring that the Slave Trade should cease from and after the 1st of January 1796 (This was read at the table accordingly.)

The circumstances under which the House came to that determination were well worthy of remark. It was not a sudden resolution, hastily forced from them by the outraged feelings of humanity, but the result of a most diligent and laborious examination, by a committee, during a great part of three sessions of Parliament. The reports of this committee were weighed, and scrutinized, and followed by long and repeated discussions within these walls. All the charges he had brought against the Slave Trade were substantiated, and the substance of them acknowledged even by his warmest opponents. Often as he had been compelled to state these to the House, yet as they still existed, it was his duty still to urge them on its notice. The slave trade was proved to be the cause of long and extended wars between nation and nation; it produced innumerable acts of individual depredation. The petty chieftains were rendered the oppressors and ravagers of the very districts of which they were the natural guardians. A barbarous and sanguinary superstition was encouraged and cherished as a source of supply to the slave market; even the fountain of justice itself was corrupted, and that which should have been the parent of order and security, was made an instrument of rapine and desolation—all was turned into this great channel, and thus

was

was sustained a system of more complicated wickedness and cruelty than ever before existed among men. He had formerly mentioned; and he must mention again, that most striking fact in proof of his assertion, that when two Gentlemen employed by the Sierra Leone company had penetrated to a considerable distance inland, where the face of the white man had never been seen, the state of society was found more advanced by two or three centuries than upon the coast, where the natives had been in the habits of constant intercourse with the most polished nations of Europe for two or three hundred years. Thus the slave trade was able to falsify and disprove the established maxim, that civilization always began on the sea coast, and gradually penetrated into the interior. What greater reproach could attach upon the British name, than that which this extraordinary fact brought home to us; which proved that our interference tended only to corrupt, darken, and barbarize, and that it must be the ardent wish of these African savages to be left unmolested in their native deserts, and not be cursed by our ruinous intrusion.

What wonder was it then, that the House was unable to resist such a claim on their justice and humanity, made in favour of a fourth part of the habitable globe? Well, (Mr. W. said) did he remember, that even they who could not bring themselves to voting for immediate abolition, yet condemned the slave trade in the strongest terms of reprobation—Nor was it only to religion, and justice, and humanity that the appeal was made. His right honourable Friend, with a minuteness of research and a detail of calculation, which enforced conviction on the most unwilling minds, established beyond dispute that the slaves actually in the islands were sufficient in number to ensure the population being maintained without any fresh recruits from Africa. But that argument, if not then complete, had surely since become so, and even they who contended that some additions to the population were necessary, could not deny that these had more than been supplied by the multitudes which had been brought from Africa from the year 1792 to the present period.

Mr. Wilberforce saw, he said, but one objection which was likely to be urged against him with any force. The House of Commons, it might be alledged, had last year addressed the Crown, humbly requesting his Majesty to send instructions to the Governors of the West India islands, directing them to concert such measures with the different legislative assemblies, as by promoting the population of the islands might gradually render the slave trade less necessary, and finally lead to its total termination.

mination. Mr. W. remarked, that he might justly expect a bad reception from the House, if he should propose to rescind and reverse what was then agreed upon. But so far was this from being the case, that the very contrary was the truth—The measure adopted last year, without that which he was now bringing forward, would be illusory and unavailing; whereas associated with abolition, it would be efficient and complete. It was an argument perhaps which would have great weight with some of his opponents, to prove at least, that there was nothing inconsistent in the two proceedings, that the right honourable Gentleman (Mr. Dundas) who took the most active part against immediate abolition, having brought forward a string of resolutions, of which, the last proposed an address to the Crown very similar to that which had been adopted last year, set out in the first of them with resolving that the slave trade should be abolished. The right honourable Gentleman differed indeed from Mr. W. as to the time when this abolition should take place, but concurred with him in thinking that its duration ought to be limited, in order to render the measures which might be taken in the islands of any real effect. But this was a case in which the authority of the right honourable Gentleman was not wanted. It must be self-evident to any one at all acquainted with the general principles of human nature, and the particular circumstances of the West India islands, that the regulations framed by the colonial legislatures with a view to promote the population of the Islands, would be inefficient in themselves. What were those regulations to be? Of course, injunctions and legislative provisions, prescribing the quantity of food, and cloathing, and labour, and medical care, and religious instruction which the slaves were to receive, the degree also of correction the master should be allowed to exercise. But was it not obvious, that different proportions of all these would be required according to the different situation and circumstances of the estates. For instance, a gang which had plenty of provision-ground allotted to them, would want a smaller allowance of corn, and *vice versa* a gang which was weakly, could perform less work, whereas from one which consisted of strong and healthy negroes a larger quantity of work might reasonably be required. Again, as to medical care and religious instruction—different estates would call for different regulations according to their respective circumstances: And, lastly, as to correction and punishment, the degree of these which would be necessary, would vary according to the previously existing state of discipline, according to the good or bad disposition of the slaves, and their consisting of more or fewer imported Africans.

icans. In short, it was obvious, that no set of regulations could be framed which would be universally applicable. Human laws cannot counteract the nature of things, or adjust with definite precision that which from its own nature is indefinite.

But not only was it impossible to devise a set of regulations adapted to the end in question, but if devised how could they be carried into effect? Let Gentlemen put the case of similar rules being attempted to be enforced in the management of families in this country, and how difficult, how invidious would be the execution of them, much more then in a country in which the testimony of the Blacks, seven-eighths of the community, not being admissible, it would be impossible to adduce evidence of the abuses which might really exist. But these regulations of which no human laws could secure the observance might be carried into effect by rendering it the strong and manifest interest of every owner of an estate to attend to the execution of them.

Were it once clear that no farther supplies were to be expected from Africa it would immediately become the first concern of every owner of an estate to maintain and encrease its population. Here then a principle would be introduced adapting itself to all cases, and varying with all circumstances; suiting itself to the situation, whatever it might be, of the owner of a gang of Negroes and urging him more surely and more incessantly than all the positive laws in the world, to administer such proportions as might be needful of food, and cloathing, and labour, and instruction, and punishment. This was not mere speculation, it was universally allowed that the situation of the slaves had been greatly improved of late years, and to what had this been owing, but to the expectation of an abolition taking place, which would render it necessary for them to depend henceforth on their own internal population. But on the ground that the abolition was to be postponed for an uncertain period, what inducements would the West India planters feel to lend themselves to the execution of the system which the colonial legislature should lay down for them?

Considering how difficult and how invidious it would be to attempt to enforce the practice of these legislative provisions which would go to the interior of every domestic arrangement, was it to be believed that all this would be submitted to? For what? For the avowed purpose of accelerating the abolition of the slave trade, an event which the West Indians in general have frankly declared they consider as in the highest degree injurious to their interests. This would be to suppose that men would

would subject themselves to a discipline which no assignable reward would be sufficient to induce them to undergo, for the sake of bringing upon themselves what they believe to be one of the greatest of all punishments.

The observations which he had just made, Mr. W. added was sufficient to prove that the Legislative Assembly in the West Indies, *could* not enforce the execution of such regulations, as they might prescribe, if they were ever so willing, and also that it could not be supposed they would make the attempt with any real cordiality.

In all these speculations concerning the effect of any regulations operating in the West Indies, for the protection of Slaves, gentlemen must bear in mind, that there was a certain *esprit de corps*, which varying in nature and kind, naturally belonged to every community—In the West Indies it was a fellow feeling for the rights and authority of masters; some curious proofs of this were afforded by the papers recently transmitted from the Colonial Assemblies and laid on the table of the House. These were indeed extraordinary documents. The committee of the Assembly of St. Christopher's, which, when the *esprit de corps* was in action for the defence of all the planters in general against charges never urged but against individuals, maintained that all was perfect in their management; now, when it was no longer the object principally in view to state the general treatment of Slaves as so unexceptionally good; that very assembly itself frankly declared, that the allowances of food usually given by masters to their Slaves were too small, and that in short, the sense of interest, which used to be held up as fully sufficient to insure the Slave abundance of every kind of necessity, was not powerful enough to induce the masters to feed and clothe their slaves so well as to enable them to go through their work with spirit. But the most thinking illustration of this principle of the *esprit de corps*, was furnished by the returns from the island of St. Christopher's, with a view to proving that "the criminal courts of justice had always, (to use their own words) taken cognizance of barbarous treatment of slaves in the same manner as crimes of a similar nature committed against white men." In short, they frankly declared, "that it does not appear to them that any other laws are necessary for the purpose of protecting slaves against any persons who shall commit acts of violence or injustice towards them,"—and then they bring forward their extracts from the records in proof of this opinion. But let these instances

stances be a little scrutinized. The first and second are of two persons, prosecuted for acts of wanton cruelty, the one on a male, the other on a female slave, by cutting off their ears. The act of Assembly, which was passed in 1783, expressly declares that "any owner or possessor of any Negro, or other slave, who shall wilfully and wantonly cut out, &c. the tongue, put out, &c. an eye, slit the nose, ear, or lip, or cut off a nose, ear, or lip, or cause the same to be done, shall be fined five hundred pounds, and imprisoned in the common jail, for six months." But this theoretic penalty was not sanctioned by the practice of the courts, for in the two instances above mentioned, which took place in June 1784, the delinquents being convicted, were fined, the one 100l. the other 50l. and in neither case was there any imprisonment. But the third instance was a still more remarkable one. An instance of savage and wanton barbarity, rendered still more atrocious by its being committed against the helplessness of infancy. A man of the name of Herbert, gagged and dreadfully lacerated the mouth of a child of six years old, inasmuch that its life was despaired of. He was prosecuted for the offence; the fact was undeniable, and curious indeed was the verdict of the jury: "*Guilty, if immoderate correction of a Slave by his Master be a crime indictable.*" This remember, in an island, in which "the courts of justice had always taken cognizance of the barbarous treatment of slaves in the same manner as of white and free people!" Yet, in spite of this uniform practice, so strange, so novel an idea did it appear to the jury, that a master should be punished for cruelty to his slave, that they did not feel themselves justified in pronouncing sentence against a wretch who had thus disgraced his manhood. The court, which to speak fairly, appears to have been desirous of doing its duty, pronounced, after taking time to consider, that this was a crime indictable, but the utmost punishment which they felt themselves at liberty to inflict was, a fine of forty shillings currency, or about thirty shillings sterling. But the matter did not end here. This very Herbert, afterwards brought his action against the Provost Marshal, for having taken the poor unoffending boy into his custody, partly that the child might be forth coming, partly to save him from the violence of his brutal master. The Provost Master was cast, and after a long course of judicial proceedings, would have had heavy damages to pay, had he not got off on a point of law. Herbert was considered as a persecuted man; the persons who had

had taken the lead in prosecuting him were universally reprobated, and he himself became one of the most popular characters in the community. The fourth and only remaining case was not much better than the preceding ones. But that which Mr. Wilberforce wished particularly to press on the House was, that these cases were not selected by him, in order to prove that slaves did not enjoy the protection of equal laws, but they were cases transmitted by the Assemblies themselves, as proofs and satisfactory evidences, that negroes enjoyed the same legal protection as white people. Was it possible for any thing to evince more clearly the force of prejudice, or to shew the impracticability of giving to slaves the security and comforts of a state of freedom?

But not to detain the House longer on this branch of the argument, both reason and experience rendered it unquestionably clear, that if the House of Commons should place its whole dependence, for the abolition of the slave trade, on regulations to be enforced by the colonial assemblies, it would find itself fatally deceived. But, in addition to all this, let it be remembered, that the assemblies, and, in particular, the Assembly of Jamaica, have always plainly acknowledged, that it was their object to go on importing until they should have brought into cultivation all their barren lands, amounting to more than twice the number which are now cultivated.

Mr. W. said he would now shortly touch on another argument, which he had before had occasion to urge, and to which every year brought fresh weight. He alluded to the extreme danger of insurrections, and to the new grounds of apprehension, which were laid in the emancipating system introduced by the French into their islands. Was it possible for any to be so infatuated as not to be desirous of preparing for that change of system, which, by gentle or by violent means, must ere long take place, and towards which the first step must be, to stop the farther importation of Slaves from Africa. Could we be weak enough to believe, that our islands would remain in their present state in the vicinity of the French islands, in which the slaves are relieved from all the galling marks of inferiority?

Mr. W. declared solemnly, that he anticipated the most fatal consequences from persevering in their present course of annually importing fresh combustible matter, when all was already but too near to an explosion. He washed his hands of the blood which should be spilled—more than once he had warned them of their danger: but, as an Englishman also, and as a Member for a great county, he felt it his duty to ob-
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ject against the continuance of a system which annually called upon his constituents to expend their blood and treasure in order to sustain it. He had been at the trouble to enquire into the number of slave ships, which were taken on their passage from Africa to the West Indies. The cargoes, as they are called, of all these, are carried by the French to some port in their islands, where they are made free, and trained as soldiers. The number was considerable: in the year 1796, there were above 3000 of these; in 1797, above 1700; and thus we carried on this system of wickedness and cruelty, the slave trade, in order to furnish the enemy with the best instruments they could employ for the subjugation of our islands, and against whom we should have to wage unequal war in a climate which would continue to prove, as it had been, the grave of our brave countrymen.

There was another consideration which he would briefly press, particularly on those Gentlemen who had been the most forward in condemning the wild theories of France, and her pretended Rights of Man. Sorry he was to recollect that he had been deserted by any of that description. Above all others, they recently were bound to shew, in an instance like the present, that their zeal against French principles was not an indiscriminate repugnance alike to every species of innovation, however founded in justice and required by mercy: not an indisposition to acknowledge and respect what were the real unquestionable rights of human beings. This, he added, was a period when it was surely desirable that the House of Commons should enjoy the confidence and good opinion of the nation at large, and in no way could they so effectually consult their own credit, as by wiping away this foul stain from their character. There were many other considerations, Mr. W. said, which he might adduce, but there was one which he could not omit, and with which he would conclude. It had been forcibly stated in the Petition, which he had that day presented from a body of respectable men (the Quakers) whose unwearied efforts in this great cause did them the highest honour. Was not this a time, was not the nation now in circumstances, in which all who had any belief in the superintending Providence of God, must feel desirous of averting his displeasure, and conciliating his favour. But what else was this Slave Trade, which we so obstinately maintained, in the teeth of every principle divine and human, but practical atheism. In cases of this nature, we were apt to be the dupe of names. We were shocked at the impiety of the

French, in bowing the knee to the goddess of Reason ; but what else were we doing but worshipping, not indeed the God of Reason, but a still baser idol, the god of Gain ; and though we withheld the posture and external forms of worship, yet we paid to our mammon the more substantial service of the heart, sacrificing and surrendering at its shrine every religious and moral obligation which had ever been acknowledged among men. Surely we could not but dread the vengeance of an insulted Providence ; not that this was, perhaps, to be expected in any sudden manifestations of his power,—in tempests, in earthquakes, or in hurricanes. But the Supreme Being had so established the course of human affairs, that imprudence was generally followed with misfortune, and wickedness by misery. Let not us then flatter ourselves, said Mr. Wilberforce, that we can alter this arrangement, or change the order of the moral world. If, in times like these especially, we have any sense of the value of the favour of Heaven, if we have any sense of what is due to our own character and honour, if we have any feeling of justice and humanity, let us no longer hesitate to do that which has been too long delayed, but embrace the opportunity which is afforded us of rescuing a great continent from the destructive ravages to which it has been doomed for centuries by our selfishness and rapacity.

I therefore move for leave to bring in a Bill for the Abolition of the Slave Trade, and, with that intent, for a committee to consider that motion.

Mr. B. Edwards said, that before he should make any attempt to answer the eloquent oration which had just been delivered by the honourable Gentleman, he would wish that the Address presented to his Majesty in 1797, concerning the Abolition of the Slave Trade, might be now read. The Address having been read accordingly, he then proceeded to shew that its object was to recommend to the colonies the adoption of such measures as might lead to a gradual abolition of this trade. Those who supported that Address, as well as those who wished for an immediate and unqualified abolition, were equally sincere in their desire, that such measures might be adopted and pursued as might finally tend to abolish the trade ; but they were far from intending that this object was to be accomplished by any sudden violence, such as he might style the present motion ; because they prudently saw, that the existence and limited continuance of the trade involved such a mass of complicated interests of mortgages, &c. &c. and was consequently

consequently of such an indispensable necessity, that neither they nor the Colonial Assemblies could be brought to agree to any thing like a sudden abolition. But after due attention and regard should have been paid to the arrangement of these interests then, and not till then, would the assemblies proceed to concur in the vote, which he would also be equally disposed to support. Knowing, as he did, the loyalty and affection of the Colonial Assemblies towards the King and Constitution; knowing, as he did, their profound and sincere respect for the opinions of that House, when the present measure was proposed to them; he could not help feeling some surprise, and indulging some suspicion, that the Colonial Assemblies had returned some improper answer, or had come to some resolution derogatory to the dignity of the House. Though when the honourable Gentleman came forward with his motion, he could not be ignorant of the correspondence which had taken place between the islands and the Secretary of State, by which it appeared that they all, except Barbados and Jamaica, had acquiesced in the proposals that had been made to them; and so far from objecting to the proceedings of that House had, on the contrary, assured it, that they should consider themselves as happy by discovering and adopting the means that might lead to a final abolition; this their readiness and alacrity to promote the object of the present motion plainly appeared from the answers of the islands of St. Vincent's and Tobago to the letters of the Duke of Portland.

These letters mention, that they had now under their consideration the best measures that might be adopted for limiting the causes that encrease the trade, and regulating it while it continued to exist, and which might gradually lead to its total abolition. The Royal Gazette of Jamaica, which he had just seen, mentions that similar measures were under consideration in that island, and that a tax of 10*l.* was to be levied for all slaves above a certain age, to prevent the hardships of slavery from being doubled on the old. The honourable Gentleman must therefore labour under a strange and fatal delusion when he thought it necessary to be so precipitate with a measure; when those whom he so bitterly reproached for opposing it were most wisely and most earnestly endeavouring to promote and ensure its success. His delusion, he would repeat, must be great, when he was thus thoughtlessly throwing the torch of discord amongst the well disposed inhabitants of the islands. He wrongs them much when he supposes that

they are actuated by the desire of continuing the slave trade. Though neither he nor they affected the popular praise of being friends to an immediate and sudden abolition, yet he (Mr. Edwards) was a sincere friend to its gradual and peaceable abolition, which were the only means by which it could be safely attempted. He therefore was not only filled with surprise but indignation at the liberties taken by the honourable Gentleman in aspersing the moral character of the West India Planters. The motives that actuated the honourable Gentleman were not merely a desire to abolish the slave trade, but to give freedom to a set of barbarous and profligate men incapable of tasting or exercising the privileges of freemen. He was no longer surprised at the wild ravages which the new revolutionary principles that have broken out abroad have every where produced. The honourable Gentleman tells us of the reform made in the French islands by the French, and especially by that mild reformer, Robespierre. But what were the effects of that wise reform? To the slaves in St. Domingo they told that they were no longer slaves, but citizens; but as they did not seem readily to catch this distinction, they were informed, that they should no longer be compelled to work, upon which they fled into the mountains to form hordes of Maroons, and afterwards poured down on the unprepared inhabitants with all the fury and cruelty of wild beasts. Their situation afterwards became so miserable, that they were obliged to enlist for subsistence; and, their miseries increasing, they returned back in bodies to their masters, earnestly soliciting to be no longer *free*. These wise reformers proved, therefore to be insane; nor does the insanity of their system seem to be confined to the French. But the honourable Gentleman has again gone into his old declamations on the inhumanity and injustice of the planters, and loads them with every epithet of reproach for not bestowing on their slaves the blessings of French liberty. He did not, indeed, expect that the honourable Gentlemen would be again compelled to rake and gather, from the stale rubbish of falsehood and scandal, the charges he urges against the West India Proprietors; charges which he only collects from the examination and depositions of men who have been driven from the West Indies for infamy*.

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* We cannot but rank this assertion of the honourable Member among those sudden effusions which often occur in warm debates, and which will

The honourable Gentleman next complains that the penalty of 500*l.* had not been inflicted on some masters who had been convicted of having mutilated their slaves;—but, is it not well known, and is it not a custom that prevails in every civilized country, that judges are invested with a discretionary power to mitigate punishment as the nature of circumstances may suggest and require? But the cases he alludes to happened before the passing of the act, by virtue of which this penalty of 500*l.* was to be inflicted. And how could the law have been violated before it had received existence? Fines of 50*l.* and of 100*l.* had been imposed before the act passed, which proves at least an existing disposition to discountenance and punish the cruelties that are so industriously exaggerated. The instance of the child whose mouth was said to have been cut from ear to ear, was known to be the act of insanity, and proved to be such in a court of law. Surely it was unjust to bring these effects of blind and sudden passion as charges against a whole community, when it was natural, and much more philosophical, to ascribe them to the frailty of our common nature. It would have undoubtedly been more wise and modest in the honourable Gentleman to distrust somewhat his own information, than to be thus compelled to rake in the sweepings of his old storehouse of scandal. The veil that has long covered the internal face of Africa has lately been drawn aside. The African Company had done much towards these discoveries, but the diligence and ability of a Gentleman who

will not bear the sober consideration of those who uttered them. We cannot do Mr. Edwards the injustice to suppose that he meant to attack such characters as those of Major General Rooke, Major General Tottin-
 ington, and other respectable officers in the army, Captains Sir George Young, Lloyd, J. S. Smith, &c. of the navy, and a number of clergy-
 men, medical gentlemen, and other unexceptionable witnesses. Their testimonies were generally founded on much observation, extended both to the African and the West Indian branches of this question, and were de-
 cidedly in favour of the abolition. Any reflection on such evidence would involve an impeachment on the understandings of Mr. Pitt, Mr. Fox, Lord Grenville, and many other Members, whose talents adorn both sides of both Houses of Parliament, and whose exertions in favour of the abolition were grounded on that evidence.

Mr. Fox, in one of his former speeches on this subject, declared, that he never knew any proposition brought before that House which was so irresistably supported by evidence; and he and other Members gave Mr. Wilberforce great praise for the pains he had taken in bringing such a body of authentic and interesting information before the House. Mr. Pitt has also avowed his satisfaction with that evidence; but, like a wise advocate, has founded his invincible arguments and elaborate calculations almost as much on the assertions and concessions of the adversaries of the Abolition, as on the evidence brought to support it.

had lately arrived from that quarter of the world have thrown such light on the discoveries, that they add a ray more to the glories that crown the present reign. Mr. Edwards here took occasion to bestow very high encomiums on Mr. M. Parke, whose journal he then held in his hands, from which he gathered abundant proofs of the miserable state of the interior of Africa, which evidently appeared not to arise from the slave trade, to which it has been so frequently and so injuriously attributed; for they had never so much as heard of the Slave Trade in the parts he alluded to, namely, in the Mandingo country; but from the natural ferocity and depraved disposition of the inhabitants, his own opinions therefore had in some degree changed on this subject. He then proceeded to prove this ferocity and barbarity of disposition, by the example of the King of Cassan, who, in spite of every entreaty, had a number of prisoners, whom he had taken in battle, ordered into his presence, and then ordered all their throats to be cut. Similar scenes in number he might still collect from the above-mentioned journal, which clearly make it appear that the disposition of the natives, and not the intrigues of the slave traders, was the real cause of the barbarities they exercised; and still the honourable Gentleman would persuade them to prefer a country of savage life and manners, to one where they would meet with humane and christian masters. He was not here entertaining the House with the discussion of an abstract proposition; his endeavours were aimed at the attainment of practicable good; he would therefore ask Gentlemen, whether it was better for the Africans to have their throats cut as he had described, or to be sent to the West Indies. But it was not his intention to pester the House with all the stale arguments which they had so frequently heard on this subject—he had now but one to offer, and this regarded the means that were taking to keep up the existing stock of Negroes, by removing the disproportion that now existed between the number of males and females. The Colonial Assemblies were now proceeding to correct that inconvenience; and he would here address himself to those who wished to promote practical good, and not to those who occupied themselves with nothing but abstractions upon paper. The end he had in view might be obtained by limiting the importation of slaves, and by encouraging matrimony among them on the Christian system, and by weaning them from their savage and superstitious system of polygamy; and this, he trusted, might be effectually brought about within the space of a few years. There would still, however, be a ne-
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cessity for fresh importations, in order to procure hands to cultivate the remaining waste lands; for if they were permitted to remain waste, they would only give birth to new hordes of Maroons, and those to new and endless wars. These importations might be lessened every year, but should not be obstructed by any sudden resolution of the House. The facts which he thus stated, he could state from his own local knowledge, and the practical experience of thirty years, and on these he grounded the opinion he had delivered. He would only now admonish the hon. Gentleman not to risk the adoption of any French plans, but to consider the temper of the times, which went to disregard authority, and to make equality the order of the day. This was a doctrine which undermined all order and subordination, on which reposed all the beauty and ornaments of civil society.

By bringing in this bill, the hon. Gentleman will only teach the Negroes that they are treated with injustice and inhumanity, and by this lesson will pretty plainly tell them to rise upon and murder their masters, and then plant the Tree of Liberty upon their graves: that tree, of which it had been sublimely said, "that its roots were steeped in blood, and that its branches distilled poison." There might be fanatics in this kingdom who would be prompted to preach up these doctrines; however, he sincerely hoped there were none of them in that House. But he would now conclude, by assuring the hon. Gentleman, that if the West India planters were to be doomed to fall, he should see they would not fall without a *struggle*.

Mr. Wilberforce rose to explain. The instances of injustice and barbarity which he had adduced, and which were contradicted by the hon. Gentleman who just sat down, he had ample proofs of now in his possession, by which he could fully substantiate their authenticity. These instances related to the cropping the ears and otherwise mutilating the limbs of Negro Slaves. An A^ct he said, had been passed for severely punishing these shocking barbarities when committed by the masters of slaves; but there appeared but little disposition on the part of the Colonial Judges or Council to inflict that punishment to the full rigour which the a^ct prescribed. But the hon. Gentleman had insisted that the cases of cruelty which he had adduced had not taken place after the A^ct had passed, but long before the passing of it, and at a period when without any such A^ct being in force, cruelties of that nature had been punished by the Councils. To this, however, he could

could confidently reply, that what he had advanced was stubborn matter of fact; in proof of which he read the Records of the Councils, and the words of the Act itself, which acknowledged the frequent perpetration of the atrocities alluded to. From these Records it appeared that the Act for preventing and punishing the mutilating the limbs, &c. of Negro Slaves, had passed on Dec. 18, 1783, and that the instances of cruelty which he had exemplified, had been committed during the month of June 1784, posterior to the passing of the said act. The other instance, that of a master cutting the mouth of a child, his own child, from ear to ear, was equally easy to be substantiated. With respect to this instance, the hon. Gentleman had set up a plea, that the person who committed it, was known to be labouring under mental derangement at the time it was perpetrated. Of this, however, there appeared no proof. For no idea had ever gone abroad that the person in question was a madman; no allegation of insanity had ever been brought against him, or pleaded in his favour. Even the verdict of the Jury who sat on his trial, proved that no such plea was ever set up in his defence.

Mr. *Bryan Edwards* confessed that he had stated the facts in the manner mentioned by the hon. Gentleman, but he did not state them so with any intention of misleading the House. He had indeed made a slight mistake as to the precise date of the Act: but as the papers which he spoke from were in the hands of every Gentleman, it was not very probable, nor was it fair to insinuate, that he deliberately intended to impose upon the House. As to the state of mental alienation with which the said master of the Negro child had been afflicted, it was notorious to all the country, and to the Judges and Jury who sat on his trial, though no allegation of insanity had been specifically brought against him.

Mr. *Wilberforce* said, that the case in question had been several times related to him by various persons of the strictest honour and veracity, but that he had never heard a syllable of the explanation now given to it. He must, therefore, beg leave to suppose that the hon. Gentleman was as much mistaken in this instance, as he was in the other.

Mr. *Canning* said, that if there ever hung any doubt or hesitation upon his mind with regard to the propriety of the vote which he should give on the present question, that doubt, or that hesitation was now completely done away, and his opinion on the subject was now fully confirmed by the last
speech

speech he had heard, that of Mr. B. Edwards. Indeed as far as he had turned his attention to the nature of the Slave Trade, he had uniformly been convinced of the beneficial effects that must result from its abolition. The same sentiments which prevailed on this subject in his breast, must likewise, he believed, sway the feelings of every youthful mind whose sensibility remained unblunted; but were he to look for the real sentiments of those who countenanced this trade, in the speeches they delivered in its support, he must, however reluctantly, regard them as the effusions of a heart very differently organized. This observation, it was not his intention to apply to the hon. Gentleman who spoke last; the sentiments which he reprobated, had been expressed in this House before that hon. Gentleman had a seat in it; and of his humanity he could not be suspected to speak disadvantageously, as there appeared in his various works, which did equal honour to his head and heart, frequent and forcible sentiments of the most refined humanity. In his speech, however, of this night, it was with sorrow he perceived that that this sentiment was far from being predominant. In that speech the hon. Gentleman had laid down two propositions which he (Mr. Canning) was very anxious should be minutely attended to, and clearly understood by the House—for if there were those who entertained any doubt respecting the propriety of an immediate abolition of the Slave Trade; such would do well to consider whether by acceding to these propositions, they were not going to vote nothing short of a complete perpetuity of that trade. And, indeed, what was the drift of these propositions? Did they not hold out to us, that as long as there was a market for Slaves, there would be found buyers; that as long as Africa would furnish Negroes, there would not be wanting other countries to purchase them. Not only has the hon. Gentleman explained how this was the case; but he has, moreover, explained, and insisted why it should be the case. This he explained, and enforced by papers which appeared to be almost exclusively in his own possession, and from which he drew a very pathetic picture of the interior of Africa; which, though it bore no little appearance of being overcharged, could not, however, fail of being powerfully affecting, had not the hon. Gentleman attempted to gloss it over with a few strokes of pleasantry. He there holds out to our indignation, the wanton cruelty of some African Prince, who, after gaining a battle, deliberately, and in cold blood, issued an order for cutting the

throats of all the captives. This specimen of the cruelties to which the miserable Africans were exposed, was seemingly, in the opinion of the hon. Gentleman, some apology for the continuance of the Slave Trade; and, under that persuasion, he, with an air of impressive and emphatic triumph, put this question to the House, whether, placing themselves in the condition of that unfortunate people, they would not prefer being sent to the West Indies, to have their throats thus barbarously cut at home? However forcible the hon. Gentleman might think this appeal to the feelings of the House, the species of argument it held out, he must, at least, confess to be rather general.

And for my part (continued Mr. Canning) were the question put home to me—whether I would finish my being in my native land, or be sent in slavery to the West Indies, where I might, at the cruel caprice of a tyrant master, be ignominiously maimed and miserably mangled; where my ears might be cropped or my limbs mutilated: so that this merciless master, for his inhuman sport, should pay a fine of five hundred pounds? Much rather, I say, would I perish at home, and that in the shocking manner so strongly described by the hon. Gentleman, than yield up my liberty, and expose my person to such cruel and outrageous indignities.

Neither could he easily perceive the force of the argument which this picture was introduced to illustrate; for did the honourable Gentleman intend to assert, than when the number of the sexes was equalised among the negroes in the West Indies, that the King of Casan would cease to indulge in this atrocious operation? And did not this mode of reasoning go equally to prove that what was now well would be always well, and that this argument might be brought in justification of the slave trade, both now and after the period alluded to. This was in his mind, an attempt to justify the continuance of this abominable traffic, even after its supposed necessity should cease to exist. Nothing could be more foreign to his inclination than any desire to place the arguments of the honourable Gentleman in an unfair light; he wished on the contrary to give them all the force, of which they were susceptible; because, by his endeavour, if successful, to do away that apparent force, it would lessen the horror he must feel at the consequences should the motion of the honourable Friend be unfortunately lost. But next to the argument, that there was greater cruelty in leaving the Africans at home, than in sending them to the West Indies, the honourable

honourable Gentleman proceeded to urge another, namely the necessity of continuing the slave trade as long as there remained uncultivated lands in our West India Islands, and the impropriety, of so much as discussing the question of its abolition, until this object had been accomplished. He could not pretend to strengthen what he had to observe, by speaking from any local knowledge: but he had learnt from the most undoubted authority that a third of the lands in the islands still remain uncultivated; and that a quantity of land was to be granted out to the Caribs in the island of St. Vincenta. This latter part of the information, he trusted was not true. But to return to the former; was it not asserted that as long as there should remain one single acre of land to be cultivated, so long would a fresh importation of negro slaves be found necessary? But here he must entreat the House to pause, and seriously to consider if it has taken such a length of time to cultivate the portion of land which is now brought to that state; how much time must still remain to elapse before the remainder be duly cultivated. This may make no impression on the minds of those who look to the blessings which Africa is to derive from the continuance of the Slave Trade, &c.—but he who is disposed to vote for its immediate abolition, from a conviction of the iniquities that attend it, would do well to see how he can quiet his conscience if he forbears to concur in the propriety of abolishing it, until all the remaining uncultivated land be brought to a state of perfect cultivation. He may as well consent to its not being abolished at all, and allow the impropriety of ever bringing such a question under discussion.

But Gentlemen, who would view the subject in the light in which he saw it, could not hesitate for a moment about the vote they should give, especially if they duly attended to the manner in which it was argued by the Coryphæus of its partizans; for it was deliberately pronounced by him, and by them, that the slave trade must be continued as long as there remained any land in our islands uncultivated, or as long as it proved a blessing to the subjects of the King of Cassan. On this he would only observe, that those who did no distinctly disclaim these two grounds for supporting the further continuance of this trade, could never persuade him that they had ever been sincere in their wishes for its abolition. This was the only observation with which he would now trouble the House.

Mr. H. Thornton said, that his chief object in rising was
to

to make a few observations on what had fallen from the honourable Gentleman opposite to him (Mr. B. Edwards) respecting the modes of procuring slaves in Africa. He allowed that Mr. Parke was a gentleman who, as far as Mr. Thornton knew, merited that character for probity which had been just claimed for him. The first part, however, of Mr. Parke's route having been by water, for many hundred miles up the great river Gambia, he had not perhaps been in a situation to make extensive observations and enquiries, near the sea-coast, concerning the slave trade. Those persons on the river too, to whom he had been introduced, and who were likely to be his principal informers, were themselves employed in the slave trade. And, with respect to Mr. Parke's information concerning the remote interior country, Mr. Thornton said, that as the honourable Member (Mr. Edwards) had stated, that the inhabitants of those regions had never so much as heard of the slave trade, the intelligence about the manner of procuring slaves, so far as those regions were concerned, was of little consequence, either one way or the other. Certain, however, it was, that no part of Mr. Parke's information could invalidate the positive evidence which had come from other quarters.

Mr. Thornton then said, that, paying, as he did, due deference to the testimony of Mr. Parke, he must put in his claim for the like respect for Mr. Macaulay, the present Governor of Sierra Leone. What rendered that gentleman's information the more worthy of attention was, that he had been promoted to the situation he now held, on account of the uncommon accuracy of his statements, as well as the general respectability of his character. Mr. Thornton then read from Governor Macaulay's journal, the following extracts concerning the mode of procuring slaves in the Mandingo country, into a part of which Mr. Parke had penetrated, and in which the honourable Gentleman (Mr. Edwards) seemed to suppose, that no enormities were practised. "Two chiefs from the nearest town to Free-town dined with me to-day. They both allowed the frequency of kidnapping among the Susees and Mandingoes: one of them had been an eye-witness of it." And again: "The Mistress of a large town in the Mandingo country has been in the settlement two or three days. We talked much about the slave trade. She said she disliked it, for it kept her in constant terror, since she never knew, when she lay down at night, whether she might not be assassinated before morning. The wars, she said,

said, do not happen when there is no demand for slaves. At another date, Mr. Macaulay states, "In the Mandingo" and Sufee countries, kidnapping is very frequent; nor is this done by strangers alone. It often happens that children are kidnapped by people of a neighbouring, or even of the same, village. A person who has resided several years in the Mandingo country, told me, that mothers in that part, never fail to collect their children together, with great care, as night comes on, and either shut them up, or endeavour to keep them within their eye, till the morning. It is stipulated in these parts, adds Mr. Macaulay, between the slave traders and the kidnappers, that none of the natives around shall be admitted to a sight of the slaves, who are usually conveyed away by the craft in the night, the barter of them having been made in the night time also. I have conversed with many natives, as well as traders on this subject, and they have every one of them confirmed the above account."

Mr. Thornton added, that, not wishing to trespass too much on the patience of the House, he would not detail the evidence concerning other parts of Africa, contained in the same gentleman's journal. He then proceeded to observe, that Mr. Watt, formerly chief manager of Mr. Rose's estate in the island of Dominica, and by no means free from West Indian prejudices, having gone out in the service of the Sierra Leone Company, had been converted by the scenes which he had beheld in Africa, to the opinion, that slaves were iniquitously procured there. On the other hand, the honourable Gentleman opposite (Mr. Edwards) who once had fully assented to what his honourable Friend (Mr. Wilberforce) had stated on that subject, seemed now to incline to a contrary opinion. Mr. Thornton owned, that he anxiously wished that the attention of Gentlemen could be arrested by this branch of the question, as being that on which the whole subject evidently depended. If the Africans were, in the first instance, unjustly dragged from their native land, what shadow of reason could afterwards be offered for the continuance of this perverted species of traffick? The West Indian gentlemen, however, apparently chose to shut their eyes to this part of the business. The first report of the Jamaica assembly, printed along with the evidence delivered before his Majesty's privy council, scarcely hinted at this grand argument for the abolition, not seeming to know or to recollect, that with the British Parliament, the iniquitous and cruel methods taken to procure the slaves, were among the circumstances

circumstances which chiefly influenced their former decision. In reciting those circumstances, the assembly mentioned the mortality in the middle passage and in the West Indies, and the evils concomitant on the system there; but hardly a syllable in that recital went to the iniquities practised in the first instance, by those who originally possessed themselves of the slaves in Africa.

Mr. Thornton went on to describe the sources of the slave trade in Africa, which were four, namely, wars, crimes, debts, and kidnapping. At Sierra Leone, there were abundant proofs that wars were both fomented and prolonged by this traffick. The prices of the prisoners taken afforded the funds for prosecuting those wars, and the wars themselves, even when other motives were pretended, were often commenced for the sole purpose of making slaves. In the Teembo country, to which Mr. Watt, with another servant of the company, had penetrated, a native chief owned, that though the Mahometan religion was the ostensible cause of their wars, the real cause was the want of slaves to sell; and there the captives who were too old for the slave-market, were actually killed. It had been said, by the honourable Gentleman (Mr. Edwards) the abolition of the trade, in slaves would cause many of the Africans to be butchered, because there would be no market for the prisoners of war. On the contrary, in that country it appeared that the slave trade was chargeable not only with the wars themselves, but with the murder of these prisoners who were unfit for sale. Thus the tables were turned on the honourable Gentleman; for the argument for saving lives evidently operated the contrary way to what he intended. The servants of the company had taken pains to inform themselves what would become of the rejected slaves, in case the trade should be abolished; and, as far, as they had learnt, there was no fear of their being murdered. Our European wars, and other causes, had often interrupted the slave trade; yet no slaves appear to have been killed at such times. On the contrary, it had been expressly stated, that, in such cases as fell within the observation or information of the witnesses, they had been set to work. Mr. Thornton said, he did not mean to assert that the slave trade was the sole cause of the African wars. No doubt, the like causes of war existed there as elsewhere. There were even more causes of wars in Africa than in many countries (exclusive of those which originated in the slave trade) owing to the more uncivilized state of that continent,

continent. But he did assert that the slave trade not only obstructed the civilization of the Africans, and increased their barbarism, but was also itself a direct cause of many wars, and strongly tended to prolong every war from whatever cause begun.

With regard to slaves sold for alledged crimes, Mr. Thornton said, that, as far as he had learnt of slaves sold from Sierra Leone, not one conviction was supported even by the semblance of justice. The pretended crimes were generally witchcraft and adultery. Some body or other was accused of witchcraft, on death of almost every great man. The person accused was compelled to drink a poisonous draught called the Red Water. If he died, his relations were frequently seized and sold as slaves. If the wretch survived, and certain symptoms appeared, he was himself sold for a slave, and there were not wanting instances of English slave-traders encouraging this iniquitous kind of superstition. Mr. Thornton said, he was informed of one in particular standing by and waiting the consummation of this horrid scene. Those charged with adultery, of whom he had heard, had been always sold, without any open trial, by the husband, who united in his own person, the offices of accuser, and judge, and jury, was often the only witness, and finally pocketed the whole price of his accused wife.

To the case of debtors sold as slaves, Mr. Thornton solicited the special attention of the House. He had once supposed this to be the least objectionable method of procuring slaves, but farther knowledge of the subject had convinced him, that no one circumstance of the system more strikingly demonstrated its enormity. The first objects of the captains of slave-ships obviously was to get them quickly loaded. The detention of vessels was always expensive; more particularly slave-vessels, loaded as they were, with human beings, whose support is some expence, and the danger of whose mortality daily increased, while they remained on board. With every captain, therefore, the standard of every slave-factor's merit was the time in which he could furnish a cargo of slaves. In order to obtain a quick loading, ample credits were given; and the custom of the country secured those who gave such credits from any great risk; for, in case of insolvency, the debtor and the people of his town might be seized, to the amount of the debt. In this way, the more opulent traders on the coast kept the inferior head-men in complete dependence. They distributed European goods among them, and on the first urgent demand from a slave-captain, they seized, or threatened to seize the inferior chiefs. The latter in their turn seized the people of their own villages;

villages; while the slave-captain, on the like principle, claimed the same right of seizing both chiefs and people of every sort.

Mr. Thornton here begged Gentlemen to mark the different effects of legitimate commerce in this country, and of the slave trade in Africa. If a British merchant or manufacturer was successful, the increase of his capital, increased also the national wealth. Being employed in setting fresh hands to improve the land, to extend manufacture and erect machinery it proportionably added to the productive industry of the kingdom. It increased its riches, its strength, and its population, and every way advanced the general good. Here, therefore, the prosperity of the individual was the prosperity of the state. But in Africa this was reversed. Mr. Thornton instanced an African of the name of Cleveland, who, having come to England, received some education at Liverpool, returned to Africa, and carried on the slave trade with more than common expertness and success. With a small original stock, he fixed himself on the fertile island of Bananas, a spot so eligible and improveable that the company once entertained doubt whether they ought not to give it the preference even to Sierra Leone, a little to the southward of which it is situated. As the wealth of Cleveland increased, he dealt it out in credits to the neighbouring chiefs, whom by this means he always retained in a state of dependence. For example, if in one year he gained a hundred pounds, he lent it, or goods to the amount, to the chief of a town, thus bringing him into subjection, and acquiring a right to seize him and all his people, in case he failed in payment. The second hundred pounds of profit put another town into his power, the third hundred would enable him to enslave and break up a third town, and so on. Precisely in this way, had Mr. Cleveland laid waste town after town on the river Sherbro. This was notorious in that part of Africa. The Company's servants had visited three or four towns which he had in this manner depopulated. Mr. Thornton, however, begged Gentlemen to observe, that Mr. Cleveland was by no means a man of bad character in Africa; for, in all his transactions, of which a specimen had been given, he had never been known to deviate from the established customs of that country. Though it was suspected that his death was occasioned by poison given him by the lower natives, his memory was respected among the traders. He had even been called "a good and humane man;" for it was his maxim never to "catch" and sell the inhabitants of any town, as many others did, without having previously acquired a right so to do, by getting the head-man into his debt.

Thus

Thus had the prosperity of an individual spread ruin and desolation around him, instead of increasing, as in England, the stock of national industry, wealth, and population.

Of the practice of kidnappings, Mr. Thornton said, that various proofs might be given. Not a few instances of it had taken place at Sierra Leone. Indeed the practice of seizing and selling debtors and their people, obviously and necessarily led to that of kidnapping; since when any man was threatened, or actually seized for a debt, he or his connections were under the strongest possible temptation to go and kidnap some other person, in order to redeem him or them so threatened or seized. In truth, many of the petty wars in Africa, better deserved the name of kidnapping expeditions. When Mr. Watt, with another of the Company's servants, had travelled above 300 miles into the interior, they were applied to for the recovery of several people who were believed to have been kidnapped on their way to the coast.

Mr. Thornton trusted that what he had said was abundantly sufficient to shew, that not one of the ordinary sources of the slave trade would bear investigation. He assured the House that of all the unhappy people who had been seized as slaves in the immediate vicinity of the colony at Sierra Leone, being, he should think, between 20 and 30 in number, he had never heard of a single individual who had been enslaved on any thing like the pretence of justice. He had attentively and frequently directed his enquiries to this point, had anxiously endeavoured to obtain fair information, and had come at the particulars of many cases; but every one of them were reducible to some of the iniquitous sources of the slave trade, which he had exemplified. Some gentleman might suppose that the slaves from the interior country were obtained more honestly than those on the coast; but where were the grounds of such a supposition? The fair presumption undoubtedly was that, in any thing like similar circumstances, means nearly similar would be resorted to.

Mr. Thornton next touched on some of the various obstacles to civilization which attended the slave-trade. While there existed factories on the coast which would purchase either slaves, or produce, from the natives who brought down both for sale, it was plain that factories which received produce only (and such were those of the Sierra Leone Company) could not in the nature of things, have an equal chance of success. The natives who brought both slaves and produce for sale, and many of the black traders did so, would of course take the road to the factory

which would take off all their commodities, and not to that which would refuse to take their slaves. The profits also on slaves were often very abundant. Thus the Sierra Leone Company had a competition to maintain with the traders in slaves, on very unequal terms; inasmuch that they could not rationally expect that success to which they seemed on every account to be entitled, until the abolition of the slave trade should open the way to fair and honourable commerce in Africa. Such a commerce in the produce of the soil, the company had attempted with the Foulah country which had been visited by Mr. Watt and another gentleman. The king of that remote region had shewn much inclination to abolish the slave trade, and to enter into a trade in produce with the company. All that inland country was found to be much more civilized than the coast. The people were employed in fabricating several kinds of manufacture, and the children were regularly instructed in reading and writing. One of the towns contained about 5000 people, and another about 7000; whereas on the whole coast of Sierra Leone, there was not a single village containing 500 inhabitants. The Company had settled a factory at the head of a river, with a view to begin a trade in produce, when some English slave-traders settled near the place, summoned a palaver (or council) to which several of the neighbouring chiefs were also called. Their object was to expell the company's factory, whether by robbing the factors of their goods, or by doing violence to their persons, did not clearly appear. But it was certainly known, that the native chiefs carried it against the British traders in slaves, that the factory of the Sierra Leone Company should remain; for they were convinced that the Company were not, as they had been industriously represented to be, the disturbers of the peace, and the invaders of the property, the rights and the country of the Africans. Shortly after this palaver, a party of the Foulahs, coming down to the factory with their produce, were fired on from the bushes, and one of them was killed. In consequence of this attack, but partly also from a war which had taken place, the paths had been stopped. This act of violence, it was true, could not with certainty be traced to the slave traders. But it had since pretty clearly appeared, that the gun which did the mischief had been fired by a black man in the service of a white slave-trader.

Mr. Thornton made some additional observations on the duty incumbent on the British Legislature, of abolishing such a traffic as he had described, on the principles of morality, justice, and

and sound policy, all which should induce us to promote the peace and civilization of Africa. He then expressed his hearty assent to the motion.

Mr. *Sewell* opposed the motion. He thought it productive of no small danger, because if adopted, it would go to unsettle the legal tenures by which the Proprietors of West India estates held their possessions. He would ask, was the House prepared to take such a step without at the same time offering them adequate compensation? Such a measure would be unjust, without at the same time granting a compensation to those who hold grants in the West Indies of the Crown. He objected to the motion also as it would materially affect the trade with the West Indies. Nor was it fair to charge the colonies with an unwillingness to fulfill the desire of the House for meliorating the condition of the slaves, and gradually abolishing the trade. He believed the honourable Member would find the penalty of 500*l.* imposed by the Colonial Assembly on those who cut off the ear of a slave, to be greater than some penalties to be found in the old statute books of this kingdom for similar offences. These assemblies had also enacted penalties on those who were wanting in humanity, by not providing a sufficient quantity of provision for their slaves. He saw but little force in what the hon. Mover had suggested of danger to the colonies from the capture of slave ships, and from the circumstance of fresh slaves being entrusted with arms by the enemy. The small number of slaves thus captured, even if armed against us, could not avail, considering the efficient force we have in the Islands. He objected also to the motion, as it went to counteract the address of last session, in which His Majesty was requested to recommend to the colonies to adopt such measures as seemed good to them, in order to meliorate the condition of the slaves. And he farther objected to it, because it did not go to propose any redress to the grievances and losses of those whose property would be immediately affected by such a measure. He thought the motion, likewise was brought forward very unseasonably, at the very time when the Colonial Assemblies were actually devising means to meliorate the condition of the slaves. He particularly referred to the means taken for their moral and religious instruction, and the expence of supporting the clergy and missionaries in Jamaica, &c. for such purposes.

Mr. *Canning* rose to explain; as did Mr. *Sewell* and Mr. *Wilberforce*.

Colonel *Gascogne* considered this as a question of great importance to the commercial interests of this country. The honourable Gentleman who made the motion did no less than

call upon the House to rescind its former resolution; and he would ask, where was either the consistency or prudence of this dereliction?—Millions of loss to the revenue of this country would immediately follow this motion, if adopted. It was made also at a time too momentous and critical to attempt to put into practice any speculative reforms, and he was surprised that any Gentlemen who were alive to this apprehension in other instances, should not be more upon their guard in the present instance. The House should consider whether it would indemnify those who would be sufferers, and the risk it run, of irritating the colonies by such proceedings, and of throwing the West India trade into the hands of our enemies.

Mr. *Buxton* thought this was a time when the true lovers of liberty should distinguish themselves from the promoters of licentiousness. The present question stood on such solid grounds as to claim all true lovers of liberty for its advocates. A regard to the interest of the country, and the safety of the colonies also required the abolition of the slave trade; nor could it be supposed that the negroes in our colonies could be long continued in a state of slavery, when at the same time they saw those in our enemies colonies emancipated? But the present motion did not go this length, but merely to stop the fresh importations of slaves from Africa; and he thought it would redound to the honour of that House in a constitutional way, to put an end to the horrors of slavery.

Mr. *Hobhouse* thought the honourable Member of this question so far from meriting blame, that he was to be commended for his laudable perseverance in bringing forward so important a measure. In the correspondence with the colonial assemblies, which had been laid before the House, he professed he could not see any thing like a serious disposition to meet the wishes of the House. The governors of two of the islands had remained silent to the Duke of Portland's letter; in some of the islands no measures had been taken, so that he thought but little was to be expected from that quarter. A mistaken idea of gain, or interest, or else old established prejudices, prevailed; and it was even evident that some of the Colonial Assemblies were shocked with the application made to them by the Secretary of State.—The abolition of the slave trade had been objected to as impracticable; but supposing the ships of war and cutters, might not be able (if this motion were carried), to put an end to this traffic, then, in

in that case the planter would not be injured, and, at any rate, Parliament would wipe its hands of the iniquity of giving it its countenance. The danger of an insurrection among the negroes in the colonies had been suggested; but had any thing like this been heard of in the Danish islands, notwithstanding the determination of that government to abolish the trade? The measure, in his opinion, was both politic and well timed; for if we would effectually resist France in the colonies, it must be by embodying the negroes, and abolishing their present degraded situation. Though all agree that the traffic of Slaves was cruel, yet he was sorry to see that this trade had lately been on the increase; and here he could not but advert to the encouragement given by his Majesty's Proclamation, to export Slaves from our islands to the Spanish colonies, even although in a state of war with them. And in reading it he had not been a little shocked to see that negroes were not only classed with cattle, but even with rum and other mercantile commodities.

The *Chancellor of the Exchequer* said, before I trouble the House with the few remarks that I have to offer upon the subject of the present Motion, and which will detain it but a very few minutes, I cannot let slip this opportunity of rectifying the misunderstanding which has gone abroad upon the subject to which the honourable Gentleman alluded in the conclusion of his speech. I certainly should be very much shocked at the idea of this detested traffic being carried on in the manner which the proclamation seems to imply, or that any extension beyond what its warmest advocates have contended for should be suffered by his Majesty's Ministers. The fact, however, shortly is, that a freeport being established in one of the West India islands, without any provision at all relative to negro slaves, it so happened that reference was made to an Act of Parliament, in which (and I am sorry that at any period of the history of this country such a practice should have received the sanction of the Legislature) slaves were enumerated among a variety of articles of commerce. On a representation, being made of the case, explanatory instructions were immediately sent out, directing that slaves should not be included in the articles to which the free port extended. This is the simple state of the case; and I am glad that the honourable Gentleman has given me this public opportunity of correcting a mistake, from which many false and ill founded inferences might have been drawn.

I agree with my honourable Friend who brought forward this motion, that nothing is more clear than that it is most urgent

urgent in point of time to adopt the measure of the immediate and total abolition, even for the safety of the West India islands themselves. Hitherto, without defending the principles upon which the abominable traffic proceeds; without justifying the cruelty and injustice with which it is attended, and the misery to which it gives rise; some have contended for its farther continuance, upon the ground that it was necessary for the interest of the islands. In answer to this argument, at best but doubtful, and where, upon a comparison of all the considerations which the question involves, the balance seemed to incline the other way, we now can press the necessity of an immediate and total abolition for the salvation of those very islands which, it was argued such a measure would destroy. The colonial regulations, from which those who acknowledged the guilt of the traffic, while they shrunk from the danger of its immediate abolition, never can be effectual to produce those internal arrangements, or facilitate those preparations for the gradual abolition, while fresh importations continue to be made from Africa. No institutions can avail to establish order among the negroes, and enable them to supply the demands of the islands, if they are constantly to be deranged by new importations, and if the progress of improvement is to be retarded by new incorporations.

It perhaps may be thought presumptuous, without any local knowledge, to assert so confidently what is necessary to give effect to the internal measures of the regulations proposed. Unless, however, those who support the traffic can shew, that the danger is not rendered greater by the new importations, and that the internal tranquillity would not be disturbed by fresh incorporations, we must act upon our own judgment, and be guided by our own authority. The contemplation of future advantages sometimes makes men blind to present dangers. For some distant improvements, the Gentlemen upon the other side overlook their real interest, and, to favour the false calculation on which this principle proceeds, they would have us not only overlook that very interest which, whether they see it or not, it is our business to guard, but that duty which, with the conviction we have upon the subject, we are bound to obey.

We are told to postpone the consideration of the abolition till some future period; but we hear of no specific time fixed at which the subject may be resumed, or at what time the cause of the delay will cease to exist. We are told likewise that we ought not to intermeddle; that matters are in a fair train, and that by means of the regulations which may be expected

pected, the period when the abolition may with safety take place will soon arrive. But what certainty have we that these measures or regulations will be adopted at all, or that they will be attended with success in their application? We see that the professions of those who are hostile to the present measure, say very little of the speedy abolition, very little of its ultimate success. If the address carried last year to recommend regulations upon the subject, was meant as an expedient to avoid altogether the abolition of the traffic, it may on this account be a favourite with some. I do not believe, however, that it was brought forward, or in general supported, upon such a view; regulations of that nature, however, can never prove effectual till they receive vigour and energy from the abolition. This alone will impose the necessity of obeying mere regulations, and accelerate those arrangements which are deemed necessary to prepare for its taking place. This would be requisite to enforce the regulations which would be necessary to bring the negroes into that state which would render farther importations superfluous. To introduce new importations would be completely to derange all institutions of this nature, and prevent any favourable change in the situation of negroes from being effected.

But when we see nothing proposed for the speedy abolition, and scarce any thing for the ultimate abolition, we should be still more cautious how we consent to any delay of the immediate and total abolition. One honourable Gentleman (Mr. B. Edwards) contends that all the waste land in the West India islands must previously be cultivated. Upon this point it is impossible for me to comment in more appropriate language than was used by my honourable Friend beside me (Mr. Canning). From his not having the documents before him, there is one point which he did not explain so fully as I wish to state it to the House.—At what period then will it be proper and right to discuss the total abolition? It appears from a statement which I hold in my hand, that the quantity of uncultivated land in the island of Jamaica is about two-thirds more than that already in cultivation. It appears that for this 250,000 negroes are required. To suffice for the cultivation of other parts, the complete number of 600,000 more living at the same time would be necessary. To procure this supply then it would be necessary to import not merely this number, but to import with all the frightful waste of mortality with which this importation is attended, till the full number is completed.

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From a comparison of the importation necessary to make out the 250,000 employed in the present cultivation of this island, and taking into view the increased ratio of mortality in proportion to the number required, in order to give 600,000 negroes, living at the same time, an importation of between 21 and 12000 is necessary ! It is to be considered likewise, that this shocking sacrifice of human beings is not for the supply of enterprises long since undertaken, and of a commerce long since established. It is for the erection of a new colony, though upon the same island. It makes no difference that this land is situated in a territory previously known, instead of a new discovered tract in the middle of the ocean.—It is a new and voluntary establishment. With our eyes open to all the guilt which the enterprise would involve, and all the horrors of which we profess to be sensible, we would plunge into this voluntary infamy.

It may be said, indeed, that this land is already planted, and that valuable considerations have been given with a view to bring it into cultivation. Still this land cannot be considered as cultivated. If valuable considerations have indeed been given with a view to cultivation, it certainly would be fair that the persons who proceed upon this idea, should be reimbursed by the public to that extent, and, to such a measure, I for one would have no objection. But supposing that this plan of extended cultivation were to be adopted, let us take all the assistance of calculation, and try to consider what period of abolition this postponement of discussion would be likely to give. The process is very simple. We know that in the last 100 years the cultivation has been going on, till the number of negroes amounts, in the island of Jamaica, to 250,000. Upon the calculation, that with 600,000 negroes, a corresponding length of time will be necessary for the cultivation of the remaining two-thirds, supposed capable of cultivation, the period of the final abolition, upon the honourable Gentleman's plan, would be protracted for no less than 240 years ! If this then is to be the rule by which the abolition of this horrible traffic is to be determined, I cannot but understand it as a declaration that it is to be perpetual, and must abandon all hope of the nation being ever freed from the guilt and reproach which its continuance infers.

It has been said likewise, on a general ground, that as this traffic was encouraged by the legislature, the abolition would be unjust towards those who had acted upon the faith of the existing laws.—It was well answered, that the Legislature often

often bestows encouragement upon branches of commerce which, in different circumstances, it is prudent to withdraw. It is said here, indeed, that the measure of Abolition would risk the existence of the West India islands. This assertion, however, is begging the question. It has been proved, that in proportion as regulation superseding the necessity of new importation of Negroes, has been practised, it has ever been attended with the greatest advantage to cultivation and to produce. If, however, the Abolition of the Slave Trade would take away the existence of the islands, the Colonial Regulations, which are ultimately to effect the Abolition, cannot be in train. It is no wonder that no specific period is affixed for an event by which the existence of the colonies would be destroyed! But if preparatory measures can ultimately effect the Abolition, it certainly can only be by adopting some internal regulations respecting the condition of the Slaves, and putting some check to the new importation, which would overthrow every attempt which could be made for their improvement. Any partial inconvenience which they might experience, ought not to weigh against the indisputed principle of Abolition, and against the safety of the islands themselves, which must depend upon restricting new importations. The measures of regulation must be preparatory to an abolition at a short period; if a peremptory and immediate Abolition is rejected, or upon every principle of justice, of humanity, and of policy, I most cordially concur with the motion of my hon. Friend, which is no less recommended by every moral duty, than essential to the interest and to the safety of the West India islands themselves.

Mt. Bryan Edwards explained, that in speaking of the necessity of completing the plantations, he never mentioned such a term as two hundred and forty years. The Minister, on this occasion, created for himself a giant to find employment for his sword.

The *Chancellor of the Exchequer* replied, that he did not charge the hon. Gentleman with using the words two hundred and forty years, but that he urged the necessity of completing the plantations, which would occupy that period.

Sir W. Young said that he must implore the House, on an important question of this nature to consider the West India Islands as an integral part of the British Empire, and to pay that attention which was due to the body of West India Planters. Perhaps Gentlemen were not aware how difficult was the situation of the Colonial Assemblies, with regard to the

subject referred to their regulation. It was the prevalent opinion in the islands that the emancipation of the Negroes, and the abolition of the Slave Trade would go together. He wished the House to reflect that calamities might happen, such as war, conflagration, disease, &c. to destroy the population of Negroes belonging to an estate, without any remedy, if fresh importations were prohibited; and thus a fatal blow might be given to the property of the West India Planters, whilst that gradual system of meliorating their condition, which was pursuing in the islands, under the sanction of the Colonial Assemblies would have quite different effects. In St. Vincent's, in particular, the wish of the Governor and Council was much in favour of the Negroes. Were the Measure now moved for ever to take effect, he wished it to be preceded by humane laws in the colonies, in favour of the Negroes, so that the vote of abolition might afterwards become a matter of no serious consequence.

The happy state of the Negroes, arising from the emancipation in Guadaloupe, has been mentioned, and it has been stated; if such a measure were pursued in our colonies, how much less we should have to fear in a state of war. But he had been told by Mr. Cooper, (a Gentleman who was a prisoner at Guadaloupe) that when the Negroes were emancipated, and told they must be soldiers, and give their labour to the State, that many of them refused emancipation on such conditions. For his own part, he owed much of his property in the West Indies to his faithful Negroes. With respect to St. Vincent's, he must inform the House, that on the Charib lands, which became lately vacant by their removal, was already formed a set of new Charibs; a circumstance this, which he thought well deserving the attention of Administration. With respect to the question, at which time should the Slave Trade be abolished? He, for one, wished not to act the part of a butcher, but of a skilful surgeon. He hoped that not two hundred and forty years, nor forty years, nor even ten would elapse, before measures would be taken in a prudent and gradual manner to prevent distress to the Negroes, and ruin to the British property there, as well as a series of mischief in the islands. His opinion and advice was, that the British Legislature should wait a few years in order to see whether the measures now adopting in the West India islands produced the desired effect.

Mr. *W. Smith* contended, that the West India Proprietors and Planters had sufficient warning of the event of abolition,
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in the different proceedings of the House upon the subject within the last ten years; particularly in those of the year 1792, when it was resolved, that the Trade should cease on the 1st of January 1796, and still more so, when, by a very large majority of the House, the *gradual* abolition of it was voted in the same year. He entered into some details of evidence, to prove that the disproportion of the sexes was by no means so much as insisted on by Gentlemen of the other side. By these it appeared, that so far from there being only three females to five males, the disproportion, even in the years 1789 and 1790, was rather less than fifteen to fourteen. The importation was greater since those periods, beyond all former example, and sufficient, not only to supply the British islands, but for large re-exportations to various foreign colonies, and in those, if the proprietors were so inclined, they had an opportunity of selecting the *women* (*a general laugh.*) Mr. Smith observed, he certainly could mean nothing ludicrous on so important and solemn a subject: he was aware of its being such a one, and of too shocking a complexion to be mixed with any thing like levity. Much stress had been laid upon the argument of its being the interest of the planter to render the condition of the Slaves as comfortable as possible, and two colonial Gentlemen had deposed to that effect; but their assertions were directly contradicted by the resolutions of the Assembly of one of the islands (St. Christopher's) by which it appeared, that too little attention was paid either to the food or clothing of these unhappy creatures. He contended, that the shocking accounts given of these parts of Africa, where the traffic prevailed, were strictly true, and in no wise controverted by the accounts given by a late traveller (Mr. Parkc.). The Slave Trade, he said, extended to many parts of the coast of Africa, even to the shores of the Red sea, and on some of the islands near the South-eastern coast, as was proved by the accounts given by the late Sir W. Jones, of his voyage to India. With respect to what had been thrown out, as to the difficulties of making arrangements on the part of the planters, and the expectation of compensation, he would not then expatiate. He would only say, it was incumbent upon the House to do their duty in the first instance, by abolishing the Trade; and he hoped that those in power, or those who took the lead in reforming the manners of the times, would not content themselves with those comparatively trivial and paltry meliorations, but acquit themselves and the country of the

crime of countenancing a system too execrable for the powers of human language to describe, and not offer such an insult to the Almighty Being, as to imagine that such sacrifices as he alluded to, could propitiate them, while they connived at the continuance of this destructive and detestable traffic in the persons of their fellow creatures.

Mr. *Heniker Major* said, that from the state of Africa, there would be negroes to be sold, and if so, could they be sold to a more humanised people, or be any where better treated than by us? He was against the motion.

Mr. *Ellis* observed, that those at present interested in the traffic, had no objections to restrictions upon it. Respecting the idea, however, that the population could be kept up, so as to render farther importation unnecessary, he had his doubts of the experiment, and was certain that a deficit would shortly be found. Regulations were wished for, which would confine the trade into comparatively narrow limits to its present scale, and of such a nature as he thought could not be objected to. The principle of compensation had been adverted to in the course of the debate; and he thought something to that effect was promised, or offered, by the Chancellor of the Exchequer. He thought such a principle was founded in justice, though in his individual case, as a proprietor of uncultivated lands, he might not choose to elaim it; the regulation of that concern should lie with the Colonial Legislatures. It was not his intention to enter upon the merits of the general question before the House; but he could not help observing some inconsistency in the conduct of Gentlemen on that night, compared to the part they took respecting the address on this subject last year. The proceeding of Parliament, with respect to the Planters, favoured both of conciliation and severity. He thought in the present instance, there was too much precipitation in bringing on the question. Gentlemen should have waited until the Legislatures of the islands assembled, when their intentions respecting the business could be ascertained. On the morality and justice of the traffic, he believed, little difference of opinion obtained. The contending parties differed only as to the means of abolishing it in the most unexceptionable way.

Sir *W. Young* and Mr. *Ellis* spoke severally in explanation.

Mr. *Fox* then rose, and spoke in substance as follows:—After the repeated discussions which this subject has undergone, I do not rise to detain you long with any tedious enquiry.

quiry into the principles by which the question ought to be decided. I shall take the liberty, however, to make a few remarks upon the sentiments which have been expressed in the course of the debate, by those who have opposed the present motion. The Gentlemen upon the other side are extremely anxious to have it understood that there is but one opinion of the cruelty, the inhumanity, the injustice, and the immorality of the slave trade, and that the only difference between us is, what is the best mode to abandon the ways of guilt and iniquity in which we have been involved, and to return to the paths of justice and of right. Now, Sir, it might have been expected that, to those who feel as I do upon the subject, it would have been a satisfaction to know, that though the mode which we recommend is not approved, the principle itself is fully recognised. I confess, however, that my feelings are not those of satisfaction. My feelings, Sir, are those of deep humiliation. To me it is matter of shame and of lamentation, that we should be so dead to every sense of dignity; that the country should be so degenerate from every sense of virtue, so sunk in hypocrisy, that, notwithstanding we are so loud in sounding our detestation of the practice, however convinced of the enormity of the wickedness, we have not yet abandoned that course which we so unanimously condemn. We are agreed then upon the principle of the measure now proposed; ten years have elapsed since the atrocity of this detested traffic has been admitted. A British Parliament has been fully acquainted with the guilt and the reproach with which the nation has been loaded; not two opinions exist upon the subject and yet in all that time not a single step is taken till last year to remove the cause, and then all that is done is by way of recommendation to facilitate some points of regulation without any cessation of the immorality. If any foreigner were desirous to discover a subject of invective against this country like those invectives which we have in this House sometimes heard pronounced against other countries, what topics of accusation could he wish for more substantial; what articles of charge more relevant, than this simple fact, that for ten years recognising the injustice of our conduct, and the enormity of the wickedness to which we are parties, we have persevered in it against our avowed conviction and our open professions?

But while they declare their disapprobation of the practice in words, some of those who oppose the motion seem by their arguments to consider it in a less culpable point of view.

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We are told that savage nations go to war with each other; that their prisoners are brought to market, and that as they are to be sold it would be inhumanity not to purchase. As the mischief is done, say they, why may not we derive some advantage from it? If a passenger is to be robbed, why may not we be the first to plunder him? May we not conscientiously put the money in our pocket? We shall make the booty with less shew of insult, of menace, or of cruelty, than usually accompanies such crimes. We may, therefore, plead considerable merit. We have not done all the ill which we might have done, or which others in our situation would have done. Such are the arguments by which one of the greatest wickednesses by which a nation was ever disgraced, is palliated. They are mere savages it seems; their princes either cut their throats or gratify their avarice by sending them to market. We are then asked, is it not better for them to be sent to the West Indies? This alternative, as was said by an honourable Gentleman, is put too generally. They are sent to the West Indies, but how are they sent? Yet they are used kindly. If we are to listen to theory upon the subject, in opposition to experience, an ingenious man may find abundance of specious arguments for selling all captives. Interest, it is said, is sufficient to induce kindness and good treatment. The answer is short, all experience is against it. We know that such is the nature of man, that power leads to abuse, that the idea of possessing an unlimited authority so far from inspiring tenderness, produces contempt of the object as worthless. Cruelty begets cruelty, and oppression breeds oppression, till the mind becomes hardened.

But there is a better answer than this—we know from experience that such is the case. The savage customs which taught the leaders of an army that they had a right to sell, taught them to feel less the guilt of gratifying their passions in the commission of them, than if they had not conceived themselves possessed of such a right. Of this all history, ancient and modern, affords proof. But in mentioning the causes of the war, does the honourable Gentleman say that Mr. Parke informed him that the sale of slaves was not the cause? Was not the sale of slaves the reward of victors? Other causes of war may no doubt exist among the savages. I believe no man in these times will say that slavery is the only cause of war. Do not we know that ambition, revenge, hatred, and other bad passions of mankind, have been the causes

causes of war? that not only in barbarous, but in more cultivated times, they have been the origin of bloody wars? Indeed, if the absence of these causes of war be the mark of accusation, it must be confessed that hitherto we have not made very great progress.—What, then, because hatred, ambition, revenge, are causes of war, is it nothing to add another powerful motive to war, that of avarice? Does no guilt attach to those who furnish this new principle of evil? May not this present an additional cause? Africa has ever been one of the most uncultured parts of the globe. In Africa this traffic has in some degree prevailed at every period. The sale of human beings has been made an article of gain, and is this no impediment to the advancement of knowledge, and the progress of civilization?

An honourable Gentleman tells us that we ought not to be precipitate, we ought not to be violent; that we ought to prefer measures of conciliation to measures of severity. Gracious God! Sir, what severity are we about to commit? We must postpone the subject; we must stay a little! What in the meantime is to be the fate of Africa? Are you to suspend the trade for two or three years, till you see whether an Act of Parliament be necessary to abolish it, or will you trust to regulation in the West Indies? Or, are you to stay a little, and send to Africa the scourges of war to promote the punishment of pretended crimes, the penalties of debt, and all the pretences by which men are made to forfeit their liberty.—This is the conduct which this mild House of Commons must pursue! You must soften the West India planters! How soften them? By an increase of the principles of humanity by adding to their moral feelings? No! You must soften them by African blood, by the guilt of Britain, by the shame and reproach of this country. You must conciliate them, not by justice, by mercy, by kindness—but by obstinacy in convicted guilt, and perseverance in acknowledged iniquity.

Some of those who opposed the abolition of the trade tell us, you cannot abolish until we have emancipated. I say, that is an inconclusive assertion; but I say, if the consequences of our abolition of the African trade must be, the emancipation of negroes in the West Indies; emancipation must take place. I am very much inclined to attend to every thing that is uttered by an honourable Baronet who spoke upon this subject. He spoke with a feeling that did him honour, of the conduct and the gratitude of his faithful slaves
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in some of the islands. I have no difficulty in conceiving that they owed him gratitude. He told us, that these slaves at a certain time, had a military occupation. He told us also, that they afterwards returned; he did not say to their slavery again, but to their former situation.—Does he think that those who so faithfully and honourably served their master would have been less willing to return to him if, instead of being slaves, they had been free labourers? I do not know any of the slaves in the West Indies, but I should imagine that the persons who have thus, very properly I have no doubt, manifested their gratitude to the honourable Baronet were not negroes newly imported, but were Creoles.

I listened with attention to what fell from the Minister in this debate, and I do say it is impossible to answer the arguments he urged in favour of the motion. He speaks always with great force, but what he advanced to night was of immense weight. He has told you plainly, I have no doubt truly, that the safety of the West India Islands depends on your adoption of the measure which is now before you. I am not often in the habit of paying implicit deference to his assertions, but upon this occasion I have no doubt of the truth of what he said.—Good God! who can doubt it? Why is his authority in this case less than upon others! I have seen that authority implicitly deferred to in this House on points infinitely less clear, on points infinitely less favourable to public freedom. Why then, if he is doubted in this, I must conclude that there is in this House a system adopted that is hostile to liberty in general; else, why is that commanding eloquence, and that high authority, which are always successful in other matters constantly defeated, and the public deprived of the advantages of its exertions in this cause? I am not saying it is owing to any want of sincerity in him. I am sure it is not owing to any want of talents in him; I am sure it is not owing to the want of exertion of his powers of eloquence; for I appeal to the many strong and admirable speeches he has delivered upon all occasions which called for his eloquence; and I think I may say, he never distinguished himself more by eloquence upon any topic, than in his speeches against the slave trade. Why, then, is that eloquence deficient in effect in this cause? How am I to account for it, unless there is a deliberate system in this House to discourage the general principles of liberty among mankind? The right honourable Gentleman tells you, and who can doubt his authority, that this question has become more urgent,

gent, in point of necessity, than ever; and that, unless this plan be adopted, your West India Islands will be in imminent danger. I am aware, that if I differed from him in any thing very little attention would be paid to me. I have no reason for supposing that the House will consider me of much authority, whether I agree with the Minister or differ from him—Certainly of little when we differ—I do, however, agree in every thing he has said upon this subject to-night. With these feelings what must I say to those, who, having acknowledged the injustice and the inhumanity of this trade—and who, after hearing the Minister declare the colonies will not be safe, unless this motion be adopted, who, nevertheless will vote against it, rather than make a sacrifice of their interests, as they call it; but which I deny to be so, and will not do one act to mark their love of justice or of virtue? But we are told that this motion is inconsistent with the Address, which we voted in the last Session. I voted against that address, because it seemed to me to acknowledge, by a side wind, the necessity of the slave trade; to which proposition it was impossible for me to assent. I wish this House to shew to the world at large something like sincerity upon the subject. The French are abused for want of morals; they are abused for want of sincerity. I want to know what sort of sincerity this House will manifest by rejecting the motion which is now before it. I want to know in what book of morals ever since justice and humanity have been treated of, or considered in this world, we are to find that those who declare a traffic to be unjust and inhuman, act according to the principles of sound morals by continuing such unjust and inhuman traffic? This is not all I have to say upon sincerity in this measure. I thought I saw in some Ministers, when this question was formerly debated in this House, an eager wish to blink it. I thought I saw in some of them a pretty keen desire to get over the odium of supporting the Slave Trade; and that accounts to me for the measure which was then adopted, and by which a soft and tender mode of abolition is held forth, without sincerity. I ask, When will you abolish the Slave Trade? Some answer, when such measures are taken abroad as will produce the emancipation of the negroes. Some say, in general terms, when the islands are cultivated. Some say, and even now say without a blush, not until all the lands on the island are cultivated. None of these Gentlemen agree in any thing like a definitive answer; each has an answer of his own, and each almost equally tending to the same point, viz. to oppose the abolition of the Slave Trade for ever.

It is curious to observe, that it has been insisted upon this night, as an argument against the motion, that the disproportion between the sexes of the negroes, being, as they say, five to three of males to females; this, they maintain, is manifestly the case in Jamaica, and in other islands; and that it is quite unjust to persist in such a measure as this, without giving the planters notice. This they state with as much confidence and gravity, as if the subject had never been before this House. As to notice, let me ask, have they had no notice? Is ten years not a period sufficient to convey a notice? They have had that time, and lest it should have faded on their memory, they were reminded of it again in the year 1790, as explicitly as a vote of this House could tell them, that the Slave Trade must be totally abolished in the year 1796.

Two years have now elapsed beyond the time at which this House declared this trade should exist no longer. The question of notice cannot therefore be decently insisted upon. If it could, and that were the only objection to the present motion, I apprehend that those who oppose it ought, upon their own principle, to vote in its favour. What is the nature of the Bill proposed to be brought in? Why, in its very nature, it must be a measure calculated to give them notice when the Trade shall be abolished, for the motion is, "That you do now resolve yourselves into a committee to consider of a motion that the Slave Trade be abolished at a time to be limited." What time do these Gentlemen require by way of notice? Is it twenty years; or is it until all these objections to the abolition of the trade be done away? That, I fear, would be a longer period still.—I must, by all the rules of reasoning I am acquainted with, maintain, that, if notice be the object, this motion is peculiarly adapted to that purpose. It would, however, be fair in me to say, that should the House give leave to bring in the proposed Bill, I should, when the blank came to be filled up the committee, most certainly vote for the direct and immediate abolition of this trade, being mindful of this ground, that unless you do abolish this trade, which you have declared to be a trade of injustice and immorality, being mindful also that the Minister has declared the safety of your islands depends upon it, I cannot conceive that this House can do its duty by any thing short of adopting the motion that is now before it. Consider the vague manner in which Gentlemen who oppose this measure have spoken upon the subject. Will they give us a date in which they say we shall cease to commit acts which they themselves describe as inhuman and

and unjust? I am one of those who are not sanguine in their expectations of the success of this measure; but I own, if the calamities of our country have made men seriously think of reforming in every kind of luxury in which they have been accustomed to indulge themselves—If we are to deprive ourselves of those little enjoyments which were not formerly held to be criminal; I say, if men are to hold forth an uncommon austerity of manners, in trifling and insignificant points, I hope we shall not neglect the vital spirit of christianity, which, I am sure we shall do if we negative the motion that is now before us.

I am well aware, that nothing of a ludicrous nature should be brought forward on this occasion; but I cannot help reciting the case of a man, whose name appears in the State Trials of King Charles II. and which I have very lately read. It appears, that a man was tried for piracy, in the course of which trial it was proved, that he was guilty of atrocious robberies, and the most cruel murder, and yet his mind was so strongly affected with certain ceremonies of Religion, that when he was going to suffer for his crimes, he observed, as he went along to the place of execution, "I know I have been guilty of many wicked things, but there is one thing I can say, I never went to church without pulling my hat off." I trust this country is not proceeding upon principles which every rational man must condemn, and adhering to vain punctilios instead of the substance of religion. We are not proceeding to encourage a system which lets loose an undisciplined army to deprive mankind of all blessings under a pretence of over morality or religion in any part of the globe. I trust also that we are not going to profess attachment to religion on the one hand, while on the other we countenance a system which causes men to be sold for debts, to be kidnapped, or in any manner to be taken up and sold to slavery. I say, I do not believe there is a man in this House whose mind is so formed as to lead him to conceive, that his country is in such a situation that he can seriously and gravely think he can serve it by voting for a continuance of the slave trade; and that he can shew his piety to the world by taking care that he is not at the Opera House after 12 o'clock on Saturday night, or be seen travelling on Sundays. I say, I hope no man will gravely think, that the character of a nation for its piety, can be supported by these trifling external observances, while it submits to have upon its name a stain so odious as that of continuing a trade, declared to the world to be founded on injustice

justice and inhumanity. I say, that your little observances of exterior, will be so far from being an excuse for your real immorality, that they will be considered as an aggravation of your guilt; for by them you will add to your other sins the deepest, the blackest, and the most odious quality in the human character, I mean hypocrisy.

I have now delivered my opinion upon this subject, I am not sanguine in my hopes of success on a question of this sort. I am well convinced that the minds of men, some of whom think themselves enlightened, have taken a very contracted, a very strange, and a very unhappy turn, with regard to questions of Reform, and every thing that implicates the principles of public freedom; and here, I cannot help observing how some men would catch at any thing which they think tends to serve their immediate purpose, although in reality it may make against it. Of this kind I take to be the observations that were made concerning rank by those who do not wish the slave trade to be abolished. Is this the way in which they defend the trade? Do they believe that the difference between a White Master and a Black Servant is not sufficient to support rank without absolute slavery? I say, that slavery is not the way to support rank. The best way to keep up distinctions in society is to remove that glaring and monstrous inequality which makes one man an absolute tyrant and another an absolute slave; and that the best security a state can have is in the consciousness of the people that they are free. Above all, the horrors of slavery should never appear. With regard to what has been said to-night, that particular individuals may have been cruel, and that we ought not to judge of the Slave Trade from the possibility of some persons having misconducted themselves in it; I own I am not satisfied. It is asked, Did not Mrs. Brownrigg and her daughter most cruelly destroy an apprentice? and it is from thence attempted to be argued, that as we cannot controul the passions of mankind, we should make the same allowances for them as in other cases. To this I answer, it is because I know that man is capable of being a cruel, odious, and abominable creature; that I know how capable he is of acting frequently against his reason, and even against his most immediate and most obvious interest, that I do not wish to see him possessed of that power and authority, which can decide without controul upon the fate of his fellow creature. If man were not cruel, slavery would never have been complained of in this world.—Indeed if man were not cruel, slavery would not exist.

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The *Secretary at War* spoke to the following effect :—I should hardly have been induced to trouble the House to-night, however desirous I might be to make a few observations upon this subject, had it not been for some of the observations of the right honourable Gentleman who has just sat down. I agree with him in the result of some of his opinions, although I do not agree with him in the reasons which he has assigned for them, and that is the chief cause of my rising now. I do not wish to continue the Slave Trade, as its opponents charge its advocates with wishing to continue it until all the uncultivated land in the West Indies shall be brought to a state of perfect cultivation. I have not the least hesitation in declaring, that if the question were now, Whether the Slave Trade should be immediately abolished, or be continued until all the land in the West Indies should be cultivated, the question would not occupy one moment more of my attention ; certainly my alternative would be that of voting for the Abolition. Having given this opinion as I feel it, and as I conceive gratuitously, I will state another which I think I am bound to give, namely, Whether I should vote for the motion now before you, or leave it to the Legislature of the Islands, to whom by the last address of this House upon that subject, it seems to me to have been entrusted ? I own, that leaving it to their care seems to me to be the best mode that can be adopted by this House at present.

Having stated this opinion shortly, I shall presently assign some reasons for adopting it. But as I differ from many Gentlemen who have spoken upon this subject to-night, I shall take notice shortly of the manner in which the question has been argued. Much has been said upon the interior situation of Africa ; I think that a question not very material for us to view in discussing this matter. It seems to me to be equally immaterial to say much on the horrors of the Slave Trade, or on the general depravity and corruption which must necessarily attend it. These are points so clear that nobody has lately attempted to dispute them, and they are so glaring that they can hardly be overstated. But then comes the general question of the right honourable Gentleman who spoke last : “ Are you, after having acknowledged the injustice and inhumanity of the trade, to agree to its continuance ? ” Which he follows up by asking—“ Are you to say I will rob, because another man will rob ? ” Upon this I cannot help observing, that however triumphant the mode might be in which these questions were put, and whatever may be
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the soundness of that right honourable Gentleman's judgment, the instance he puts does not appear to me applicable to the measure now before you. I allow that inasmuch as example operates, each person concerned in the trade incurs some censure, because examples of this kind are not only in themselves mischievous, but have also a tendency to encourage it in others. I do not believe it to be true, that we might rely on any assurance that if we discontinue the trade it would be carried on by others. All these points appear to me to be distant from the main object of our discussion, and therefore I shall now pass them by. I own it appears to me a little extraordinary that Gentlemen, and particularly the honourable Member who spoke last, should endeavour to draw a line of distinction between the duty of this House and its inclinations.

Let me remind them of their own principles, and their own practice; it is in the same tone that they talk of this distinction, and the impolicy of giving immediate freedom to the Slaves in the West Indies. Why then, let me tell them, that by continuing that slavery they are continuing that which they know to be a great hardship upon the slaves there; but what would their answer be? They would say, "We must suffer it to be continued; for by taking it suddenly away we should create a greater evil than that which we propose to remedy." That is the real state of the case, and a choice of evils is the point in issue.

The right hon. Gentleman who spoke last stated roundly, that this House, by continuing this trade for any length of time, would be guilty of a flagrant breach of duty. Whether it would be a flagrant breach of duty, or any breach of duty, I will take leave to say is the whole question, and that is to be decided by a comparison of evils. The question then will be, whether, by abolishing the trade now, we are likely to create a greater evil than that which we would willingly remove? I say, our interest is not any consideration at all with us except in a comparative sense, and that includes, not only the safety of the whole of our islands, but also the happiness of the very people who now endure the hardships of slavery in the West Indies. I say then, that if you take that course which, upon a view of all these points appears to you to be the best, there can be no line of difference drawn between your duty and your inclination, because in that case you will have entirely performed your duty. I shall, therefore, do now what I did on a former occasion, because no good reason has, in my opinion, been given for my doing otherwise, leave this to the care and diligence of the legislature of the colonies. Gentlemen
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may ask, Why do you not fix the period beyond which you will not allow this traffic to continue? I may be told, that I am acting inconsistently with my former principles, because I agreed to the last address, considering it as a notice to the planters to diminish the importation of negroes; that they have had full notice, and if they have not acted upon it, the fault is entirely their own, and they ought to have no farther time. To which I answer, if you consider the immediate abolition of the Slave Trade as a punishment upon those who are interested in its continuance, your reasoning is correct; but if you regard the abolition as a measure not of punishment upon a few individuals, but for general policy, your reasoning is inconclusive; and, in that view of the subject, there is the same reason for continuing your notice as there was for giving it; for if the trade be now in the same state as it was then, the reasons which made you then forbear from immediate abolition should induce you to forbear now. Those who wish most eagerly for the abolition of this trade may have very good wishes, but I do not know that their wishes will have the effect which they expect. If the planters go on in a system for ameliorating the condition of the negroes, that will of itself have a good effect, however discontented the advocates for the abolition of the Slave Trade may be.

Upon the whole, in considering this as I ought to consider every question, I ask myself, "How am I to do the greatest practical good?" And in that view I own I am inclined to trust for a while to the Colonial Assemblies by way of experiment. Had I no hopes of considerable public advantage by doing so, I own I should not be inclined to follow either the proposition which is now before us, or that which is recommended in its stead; but I should follow the ideas of a man now no more; a man who left no part of the interests of mankind unexamined, who brought with him more wisdom in discussing every subject he attempted to investigate than any man I ever knew; I need hardly say I mean the late Mr. Burke. His idea was to take much of the power of legislation upon this subject out of the hands of the Colonies, and to make many regulations within ourselves relative to our traffic on the coast of Africa; by which he wished to ameliorate the condition of the negro, and cause the Slave Trade to die a natural death.

I may be asked, "Why do you not move something to that effect?" My answer is, I do not see the probability of producing that desirable effect, or else I would with pleasure move.

move it. I say also, that in point of fact, from whatever cause, you have not succeeded in your endeavours to abolish the trade; and that your notice to the planters has hitherto been insufficient, that there has been no good reason assigned to-night why that notice should not be farther continued, and therefore I shall vote against the present motion. If I could with a wish abolish the Slave Trade, desirable as that may be, yet still I should in the present state of the colonies fear the effect of it. What the probable effect would be I cannot say with any degree of precision; great apprehensions are entertained that great evils might follow, and it is from that fear that my difficulty arises. Something has been said to-night, tending to shew that much of the opposition to this motion proceeds from a general hatred to all innovation, arising from an abhorrence which so many of us feel towards French principles; that indeed from that abhorrence proceeds a disposition to oppose every thing that tends to favour the freedom of mankind. So far is that idea from actuating me upon this occasion, that my hatred of French principles and French freedom would rather increase my hatred of the slavery of the Negroes; for certainly no two things in human life can bear a greater resemblance to each other, than the slavery of the Negroes and French freedom; and therefore it is not on account of any general principles I entertain against innovation, or against reform, that I oppose the motion.

This is the view I have of the question. I was anxious to state my sentiments upon it, the more particularly as an attempt was made to distinguish between our duty and our inclination. I say the arguments offered to prove that distinction are not good in themselves, and that the Gentlemen who have urged them cannot follow them up with effect. I have said this to vindicate myself, and to vindicate this House from the imputation that our permanent interest goes one way, and our duty directs us to another. I deny that; I say my duty leads me to what I am now doing; I am considering how I can best secure the happiness of millions, and I believe I am pursuing the best mode for that purpose, by trusting this subject, for a while at least, to the care and diligence of the Colonial Assemblies. I wish it, however, to be understood to bind myself never at any future period, till after experience to vote for any measure like the present; that I may do, when it shall seem to me to be necessary. I was most anxious of all to state what appeared to me to be
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my own justification for the part I take, and the justification of the House also ; but which I should have forborne stating, but for the warmth of the right honourable Gentleman who spoke last, whose erroneous reasoning in some parts of his speech, I can as easily excuse on some occasions as I can admire the force of his arguments on others.

Mr. *Barham* said, that he should vote against the motion, not because he thought its tendency was to abolish the Slave Trade, but to perpetuate its existence. He thought such motions as these spurred on, instead of discouraging the traffic. He thought it extraordinary that Gentlemen who favoured motions of this description should complain of the continuance of the Slave Trade, and of the disappointment of their hopes in abolishing it, when their own conduct was the only cause of that disappointment. It was not his opinion that the Slave Trade should continue for an hour for the purpose of cultivating all the land in the islands. He did not believe that colonies would have the least objection to prohibiting the importation of Negroes for cultivating the land, provided a compensation was allowed to those who had purchased land for the purpose of cultivation. He was not a very considerable proprietor of land of that description ; but as far as he was interested, he was ready to forego any share of compensation for himself ; but neither he himself nor any other person had a right to give away the property and power of others. It had been asked, when, if they had their wishes, should the trade be allowed to cease ? He for his own part wished it to cease as soon as possible ; and he desired that every restriction should be had to lessen the supply of, and to diminish the demand for Negroes ; which he believed were the only means by which the trade could really be abolished. The last period at which any ships should sail to the coast of Africa for Slaves, he could not pretend to state ; but in his conscience he believed, that if such motions as these were not persisted in, the Trade would in a very few years cease. Much had been urged to that House about its abolishing the Trade, but he wished Gentlemen to put to themselves one question, in order, if possible to set the point at rest. The question was, whether the House of Commons had the power to put an end to the Slave Trade without the assent of the Colonial Assemblies ?

The *Chancellor of the Exchequer* said, that on account of what had fallen from some Gentlemen in the course of the debate on the principle of compensation, he deemed it

incumbent on him to say a few words in explanation on that point. What he alluded to on that head, by no means referred to a general principle of compensation; it related solely to lands, under certain circumstances, which were derived from the Crown in those islands for a valuable consideration. In those cases, and where the conditions stipulated for were faithfully performed by the Grantees, he thought it fair that certain proportionate compensations should be allowed; there were cases, however, where lands were so derived, but in that consideration on the part of the holders, or where the conditions stipulated for at the time of making the grant were not faithfully performed by the Grantees, in such cases no compensation should be allowed; and the non-performance of the conditions vitiated the grant; where it appeared a consideration was given, the conditions for it faithfully preferred, he thought a compensation in refunding what the Crown had received, could be properly allowed.

The question then being loudly called for, the House divided; when there appeared

<i>Ayes</i> (For the Motion)	—	—	83
<i>Noes</i> (Against it)	—	—	87
	Majority		—

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Adjourned at Half past Twelve o'clock till the next day.

HOUSE OF COMMONS.

WEDNESDAY, April 4.

Sir *William Scott* postponed the further consideration of the Bill for declaring the validity of his Majesty's order in council until the 17th inst.

Mr. *Simeon* moved for leave to bring in a Bill for the better administration of Assets of deceased persons, where the Administrator, to whom administration was granted, is out of the kingdom.—Granted.

Sir *William Dolben* moved to postpone the order of the day on the slave carrying Bill until the 26th of April instant.—Ordered.

He then moved for several papers, preparatory to the proceeding on the Bill in the Committee, which were ordered to be laid before the House.

Mr. *Long* brought up a list of all pensions and places granted since the year 1792. Ordered to be laid on the table, and to be printed.

LAND

LAND TAX COMMISSIONERS.

Mr. *Bird* complained that a list of the names of persons appointed to act as Commissioners for collecting the land tax in Coventry, had lately been clandestinely made out, without consulting the members who served for that place. The number of these, who consisted of low mechanics, amounting to 830. In consequence of their appointment, the collection of the tax was retarded, and an unusual scene of confusion took place when the business of the collection was entered upon. He would therefore move for leave to bring in a bill for appointing additional commissioners for putting in effect the Bill for the collection of the land tax, as far as it related to the county and town of Coventry.

Mr. *Long* said, that the list alluded to had been put into his hands by an honourable Gentleman who was then absent, and on that account he wished the honourable Gentleman might postpone his motion, or move to have the list he complained of referred to a committee, in order to see if it deserved the description he gave of it. He did not conceive that it was necessary to consult the members for any particular district about the names of the commissioners who were to be appointed to collect the land tax in such places; and as to the insinuations that the list alluded to had been carried clandestinely through the House, he must deny that such had been the case. An honourable Gentleman gave it him as containing the names of very respectable persons, and he accordingly, when the Bill was in a committee, had it put into the bill.

Mr. *Wilberforce* wished that this discussion might be put off to another day.

Mr. *Hobhouse* recommended the appointment of a committee to see whether the list in question contained the names of persons qualified.

Mr. *Bird* then withdrew his motion.

NEWSPAPERS.

The *Attorney General* next rose, to call the attention of the House to the subject of Newspapers: He spoke nearly as follows:

I had the honour, a few days ago, to give notice, That I should move for leave to bring in a bill, upon a subject which I conceive to be of great importance.—The Liberty of the Press is a subject that is valuable to us all; and, had I not conceived it so, I should not have troubled the House with any previous notice of what I think it my duty to submit.

Before I state the purport of the Bill which I mean to propose

pose to move for leave to bring in, I will take the liberty of stating what is not the purport of it; because I understand that there has been a misconception of the nature of the measure which I intend to propose. Some persons have thought that I meant to call on the authors of paragraphs to state their names to the public—I mean no such thing. Others have thought I meant to require security of the printers and publishers of newspapers for the disclosure of the names of authors who have been guilty of a breach of law by any abuse of the liberty of the Press—That is not my intention or purpose. I abstain from all measures of that nature: first, because I think it is unnecessary; and secondly, because I think it is not reconcilable with the liberty of the press that there should be laid on it any previous restraint. I think there is no necessity to put any restraint upon the press in the first instance; and, that in that particular, it should be left to the operation of the common law, which provides, That, when a libel is published, either on an individual, or of a public nature, the person printing or publishing it is answerable: if proceeded against by indictment, and the Grand Jury find the bill, the defendant may be held to bail; and therefore he must give security that he will be forthcoming to answer the exigency of the law. If that security be not given, the party is held in confinement until he is entitled to his discharge in due course of law, and therefore no security is necessary. My intention is that there should be no previous restraint on the communication of mens sentiments, but that men should be held responsible, after such communications for the consequences of it; that they may receive the judgment of the law, if they publish any thing that is libellous or seditious. The principle I have in view is in reality to preserve and secure the liberty of the Press; and an important part of the measure which I intend to submit is, that of creating a facility in proving persons who are printers, publishers, or proprietors to be such. This will tend, in some degree, to secure to the revenue the duties on these publications; but that I own is a minor object. Another part of the intended measure is to prevent the printing newspapers on unstamped paper. To prevent the circulation of them on unstamped paper; and, lastly, to prevent the circulation of them at all, whether on stamp or unstamped paper, in any country with which we are in hostility.

I shall now proceed to state a few observations which occur to me upon this subject.—When I had the honour to mention this matter to the House, I was impressed with the necessity of
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some such measure as that which I am about to submit. If you purchase a newspaper at the house or shop or the Printer, and you afterwards can find that printer so as to serve him with process, then the act of purchasing the paper is evidence against him in a court of justice; but it is extraordinary we should so often want the means of knowing who are the proprietors, printers, or publishers of these papers. By means of this deficiency, neither the private individual who may be injured, nor the public, who are deeply interested, have that security which they ought to have; that these persons shall be forthcoming to abide the determinations of the law. But I beg leave to state most distinctly that they misunderstand my object extremely who suppose that the measure I am about to propose is not founded on a sincere regard for the protection of the character of every individual in this country, as well as on considerations of a public nature. I remember, some years ago, in this House, thinking most seriously on this matter, and thinking even then there was some such measures as this necessary; but when I look back and think upon what newspapers were thirty years ago, and compare that with what they are now, I am sorry to say, that private scandal, in almost all of them, is most enormously increased; and I remember saying long ago, that I lamented that my predecessors in the office of Attorney-General had not checked their licentiousness.—This I do not say with any particular reference to any individuals who have from time to time been my predecessors in an official character. These evils have grown upon us by imperceptible degrees; that they are now become enormous, the profusion of abuse upon all descriptions of persons, public and private, in almost all the newspapers, is a proof of it. My wish is to give security to both public and private characters against this profusion of abuse; by giving to both that sort of security, which will arise from making all the Proprietors, as well as the printer and publisher of every newspaper, responsible for what may appear in their publications. It is therefore my bounden duty to tender this measure to the House, and to call for its assistance.

He recited the difficulty there was in obtaining a verdict against the Proprietor, the Printer, or the Publisher of a newspaper, on account of the want of evidence of the purchase of a paper at the house, or the office belonging to any of these persons; as also of the difficulty that sometimes occurred in purchasing a paper; and commented, as he went on, upon the doubtful propriety of considering the bond which was given at the Stamp Office, for the payment of the duty on advertisements,

ments, as evidence in all cases against the Proprietor, either in a civil action or criminal prosecution; and stated, that a case had lately been laid before him, in which it appeared that a Gentleman, who had given his bond for a certain Newspaper, had, for upwards of a year and a half, ceased to be a proprietor of that paper.

Mr. Attorney said, he would state to the House the circumstance which had first determined him to bring forward the present measure. Gentlemen would remember that some months ago there appeared, in a London newspaper (the *Courier*) an account of French prisoners, at Liverpool, having been treated in a manner, which, if true, reflected the highest odium and disgrace on the English character; but which, if false, the publisher of it, knowing it to be so, and sending it into the world as a true statement, deserved the severest punishment that the law could inflict on him. There were impediments against his prosecuting this paper, from which he hoped the Legislature would relieve him. When he first saw the account just alluded to, he thought he had sufficient evidence, and accordingly filed his information. About the fate of the prosecution he was not very anxious; but he found that he was prosecuting a man, who, though not a non-entity, was not to be found any where. This was the Printer; and as to the proprietor, the gentleman whose name had been entered as such, and given bond at the Stamp Office, had ceased to be the proprietor more than a year ago. Him he had it in his power to prosecute criminally, but he would not do so. He maintained, that although this bond was, or might be evidence against this Gentleman, upon an action for the Stamp Duties, yet it would be too hard to give it in evidence in any other action or criminal prosecution, because he could not, in any fair sense of the thing, be called the Proprietor; when he did not receive any of the profits of the publication, and had a year and a half ago sold his share in it. Besides his endeavouring to ascertain who were the true proprietors, it was necessary to prevent the revenue from being defrauded. He held then in his hand a parcel of papers which he had found in a neutral vessel going to France, and the whole of which were unstamped. They also contained in them information, which, if any one had written and sent in another form to the enemy, he would have committed the highest crime a man could be guilty of; and in that point of view he must consider the fraud upon the revenue as of little consequence. But as to those unstamped

stamped papers, he could easily find out the printer of them; but he must then fail in the prosecution, because he could not legally prove their having been published at the office of the printers. The Stamp Office, anxious to secure the duties arising from papers, had lately prohibited the printing of any paper without a stamp; and one newspaper very properly stated the circular letter from the Stamp Office in terms of approbation of the measure. To his great surprise, however, the very paper which spoke of the measure it in that way, and which he held in his hand, was without a stamp. The great blessing so peculiar to the English constitution, of allowing men to publish their sentiments without restraint, ought never to be taken away, except in circumstances of great necessity and danger. He did not mean to infringe those at present. His proposition was only this, that he was not to be told by men who derived large profits from Newspapers, that he was not to know whom to prosecute, and that they were not to stand in any situation of responsibility. His intention therefore was, that it should be the duty of the Commissioners of the Stamp Office to see that no stamps should be delivered out to any persons, except to the Proprietors, Printers, or Publishers of Papers, whose names should be all known: that these were to make an affidavit of their being so; and that these were all to be answerable in the same manner as those who had hitherto given their bond for the payment of the duties. To shew the necessity of preventing papers from going to France, he would state what an ingenious way people had of conveying intelligence to that country. In one of those papers found on board a neutral vessel, was a letter, purporting to be an advice to the Lords of the Admiralty, which mentioned the intended sailing of the outward-bound West India fleet, and that it was to be convoyed only by two frigates. The writer of this letter at the same time pretended to be very anxious about the safety of the fleet. Another article in one of those papers stated, that as the people of England were about to be raised in a mass, the French would not be such fools as to invade this country, but that they would go to Ireland. To prevent such intelligence as this from being given to our enemies it was necessary to stop the exportation of papers to France altogether. There was another species of publications, of which an infinite number were circulated, throughout every part of this country; the authors of which were not known, but they were certainly conducted by very able men.

men. On the subject of religion these writings were most horrid and blasphemous; and as to Politics and Government, their tendency was highly criminal and wicked. He should see how responsibility was to attach upon the Printers of these books; but as they were not immediately connected with his present object, he would postpone the consideration of them to a further time.

The object of his present motion was to make the justice of the country effectual in public prosecutions; and he should feel the most lasting satisfaction if he should find that it would accomplish the object he had long wished for, namely, to enable men, of rank and consequence in the country to bring their persons to justice, who falsely represented their public conduct, as proceeding from improper motives. And here he must observe, that he would make no distinction whatever between those papers which took different sides of the question, for, and against, his Majesty's Ministers. He then concluded, by moving for leave to bring in a "Bill for preventing the mischiefs arising from Newspapers being printed and published by persons unknown, and for regulating them in other respects."

Mr. Sheridan said, that though it was not his intention then to enter at length into the measure proposed, he would say, even in this stage, that it would be with the utmost reluctance that he would give his consent to any measure by which the liberty of the press would be affected. The learned Gentleman had opened his speech certainly with great ability and candour; but nevertheless he could discover in the propositions not merely the beginning but the continuance of a system to confine the Liberty of the Press. It was said that Newspapers were sometimes printed on unstamped paper; he wished to know whether the *Anti-Jacobin*, a paper which some gentlemen on the other side might know, was to be included in the regulations, and whether this collection of wit and pleasantry was to be printed on stamped paper.

The learned Gentleman said, that papers of every party were to be comprehended in the measure he proposed. If the learned Gentleman did not know that the papers which were in the interest of Ministers indulged in that species of slander and abuse which he reprobated, his reading must be confined to the opposition papers. He never had heard, however, that the calumnies from that quarter had ever called forth the exertion of the learned Gentleman in his official

ficial capacity. With regard to the regulations, that all the proprietors should be obliged to give bond to be responsible, it was one to which he could not agree. Unless a number of persons were to join in the establishment of a paper, it would often be impossible, from the capital required, to establish one at all; and such a regulation would certainly discourage people from having any share in a Newspaper. He should be glad to know, whether by this it was meant that if Government paid a Paper for abusing Opposition, the Treasury, by so assisting to keep up the Paper, was to be considered as a Proprietor, and to be responsible for the consequences? If so, it would tend to reconcile him to the measure. Already the price of Newspapers had been raised to such a degree as to operate, not so much to the advantage of the revenue, but to suppress the information that those vehicles afforded, to persons whose situation deprived them of other sources. He wished it to be understood, therefore, that he did not assent to the proposal, but should take another opportunity to consider it more fully.

The *Attorney General* said, he was sorry that the honourable Gentleman had not been in the House at the beginning of his speech, as he would in that case have found that the measure was to apply to all papers of whatever side. He hoped the proposal would be watched; and, in particular, he wished the honourable Gentleman would keep his word, and attend the discussion. *The Anti-Jacobin* certainly was within the scope of the regulation, and was printed upon stamped paper. As to the pay given to Papers, the honourable Gentleman did not say what Papers, nor by what Government, and what Treasury they were paid. With regard to the prosecutions which he carried on in his official capacity, he found that the abuse of individuals of which he complained, was always combined with attempts to degrade and vilify the Government and Constitution of the country; and he never had observed that the latter ever had been abused in those Papers to which the honourable Gentleman alluded.

Mr. *Sheridan* said, he did not complain that prosecutions were not raised against the calumnies he had mentioned. He was an enemy to such prosecutions, though perhaps he was as much provoked to it as any man.

The *Chancellor of the Exchequer* said, he was not surprised that the honourable Gentleman mentioned *The Anti Jacobin*

with approbation. He saw that paper sometimes himself, and could assure the honourable Gentleman that, if he took the trouble to look, he would find it was upon stamped paper.

Mr. *Sheridan* said, he looked at the wit, not at the stamp.

Mr. *Tierney* said, he rose to make one observation upon an expression of the learned Gentleman in opening the subject. He had said, that the Editor of *The Courier* had published an account of the cruelties said to be inflicted on French prisoners here, knowing it to be false. Now he was requested by the Editor to say, that this was not the case, and that he had not the most distant idea that he was publishing a falsehood. Had he done it, knowing it to be false, his conduct certainly would have merited the highest indignation: when a prosecution was commenced upon the subject, however it was not fair that the matter should be represented to the world in this light. With respect to the falsehoods which were published in France upon this subject, he thought the House had condescended too far in taking notice of them, or appointing any committee to enquire into the subject of the treatment of prisoners. For his own part he was ready to say, that he firmly believed Ministers to be incapable of the cruelties which, in the fabrications of the French Directory, had been imputed to this Country.

With respect to the prosecutions carried on by the Attorney General, there was one which he could not reconcile with the professions of that learned Gentleman. A prosecution was raised against a person of the name of Johnson, for publishing an Answer to the Bishop of Llandaff's pamphlet. One of the counts in the indictment was, that the said Joseph Johnson, wishing to vilify and degrade the Government, did express a doubt of the sincerity of Mr. Pitt in the late negotiation, &c. To him it appeared to be a very new species of misdemeanour, to doubt the sincerity of Ministers in their public capacity.

The Attorney General said, that he had already mentioned that no persons were found against whom a prosecution could be raised, so that the honourable Gentleman was mistaken when he said that a prosecution was depending. With respect to the Editor, he knew nothing. It certainly was no apology to say, he did not know it was false; it was a very high offence to publish such an account without knowing it to be true. With respect to the information against the book-seller

seller alluded to, the Bill had been found by the Grand Jury; but the case was such, that he would have considered it his duty to have prosecuted, even had the Bill been thrown out. The whole of the pamphlet which contained the passage on which the charge alluded to was founded, was of the most seditious and traitorous tendency: To say that a person in the situation of the right honourable Gentleman was insincere in his negotiation for peace, might, when coupled with the other dangerous and traitorous matter of the pamphlet, be of the most fatal tendency, in continuing upon the country the miseries of war. But, as had ever been his custom, he would submit it to the jury to decide, whether the doubt was honestly entertained, or whether it was expressed with a malignant intention. This question he found it his bounden duty to bring before a jury in the case which had been mentioned.

Mr. *Hobhouse* said, he was glad to hear that no intention was expressed to lay any previous restriction on the Liberty of the Press. It was natural to be jealous of every thing connected with this subject, after we had seen, in repeated instances, attempts made to invade the liberty of the press. He applauded the principles which the learned Gentleman had laid down on this point, and he wished to recommend them to the attention of the House, lest, on any future occasion, they might be overlooked. Of the measure proposed he could not approve. If the responsibility was to be carried the length which the learned Gentleman insinuated, it would be utterly impossible to state any piece of news, or to make any comment upon public affairs. If it was criminal to mention that a fleet was about to sail, or to give any piece of information of this nature, not a single fact could be stated that might not be construed to a mischievous tendency.

The *Chancellor of the Exchequer* said, that the honourable Gentleman had totally misconceived the meaning of the measure which his learned Friend had proposed. There was not a word in it that imposed any new regulation as to the contents of Newspapers. Any paragraph that would be liable to prosecution after this measure passed, was liable to prosecution at present; and the only difference would be that a responsible person would always be found, which was not the case at present. The criminality or innocence of any thing a Newspaper might contain would be submitted to the decision of a Jury precisely upon the footing on which it would now be prosecuted. No man but the honourable Gentleman; who, after so long an absence, had come down to state broadly, that

no prosecution at all ought to be raised against abuses of the press, could object to the measure proposed. It was no wonder, however, that the honourable Gentleman objected to it, as, upon his principles, no check should be given to the circulation of the foulest private slander, the most undisguised sedition, the most pointed treason, and the most daring attempts to overthrow the established constitution of the country. Unless this was the liberty of the press which ought not to be touched, no objection could be made to the principle of the Bill proposed. No alteration was intended in the species of the criminality of what was written; it only facilitated the obtaining of evidence against the party who ought to be responsible.

Another object of the Bill was, that whatever information Newspapers might contain, should not be conveyed to the enemy. The insertion of a piece of information, such as the sailing of a convoy, or any thing of this nature, might be either innocent or criminal, according to the intention of the party. Still, however, there did not appear to be any reason why such articles of intelligence as an Editor might obtain, should be communicated, or why the press should be the vehicle of conveying information to the French Directory at Paris, upon which they might be enabled to regulate their measures. What might be innocent at home might become dangerous when sent abroad; and he really could not discover how the measure proposed to prevent this could in any shape be considered as an infringement upon the Liberty of the Press. As he was now up, however, he would say a few words in answer to what had fallen from an honourable Gentleman opposite (Mr. Tierney). The honourable Gentleman said, it was a new thing that it should be considered as a libel to say, that a person who had the honour to be high in his Majesty's Councils, and to have a considerable share in the direction of public affairs, was insincere in a negotiation for peace. This charge, it would be observed, was made after Parliament, upon solemn discussion, had pronounced that the negotiation had been conducted with the most striking proofs, and accompanied with the most convincing pledges of sincerity. It was a charge, therefore, upon that Parliament which had borne testimony to the sincerity of those to whom the negotiation was confided. The observation of the honourable Gentleman, however, was not new; he recollected it to have been imputed to a learned Gentleman, and represented to have been made at a certain club. The observation indeed was very likely

to come from a person who was the advocate and patron of all their libels. He would venture to meet the learned Gentleman upon the point of law, and if he did come, and state in his place the charge which he asserted to be innocent, he should be ready to shew him, that he could as little justify it as a matter of fact, as defend it in law. Never, he was sure, had the learned Gentleman, amidst all the libels which he had been employed to defend, been engaged in the justification of a more flagitious libel, than that in which he understood he was now retained. Compared with the other contents of the pamphlet in question, the charge alluded to was perfect innocence. It was the most daring attack upon the whole constitution of the country; it villified and degraded our national spirit; it exhorted the people not to defend themselves against the enemy, and was the most infamous collection of sedition and treason that ever was published. It was not matter of surprise to him, therefore, to be libelled by those who praised the enemies and reviled the establishments of this country. If the learned Gentleman, who asserted that this charge was no libel, would come down and make that assertion, he would tell him that he had uttered a libel which he could not justify by argument. He would not pledge his character, as a lawyer, upon that doctrine which has been imputed to him, or attempt to shew, that, in point of fact, there was any reason to doubt the sincerity of Ministers. Would any man say that it was not to alienate the affections of the people from the Government, to tell them that the Executive Power was inattentive to their interests, and that the Legislature sanctioned the conduct of those by which the public happiness was betrayed? Would any man say, that charges such as these, were not grossly libellous, and tended to bring into disrepute the whole Government and Constitution of the country?

Mr. *Sheridan* said, that the right honourable Gentleman had misconceived what he had said. He never asserted that sedition and treason should go unpunished; he only said that he was not a friend to prosecutions, and never had, in his own case, taken notice of the slanders of which he was the object. He was of opinion that the Bill proposed contained in principle something of the nature of previous restriction. The expence attending the establishment of a Newspaper required considerable capital; and if men were deterred from clubbing, no Newspaper could be erected but by Government, or perhaps continue without its support. Would men become the Proprietors of a Paper if they were all liable as well as the Editor, Printer and Publisher, who now gave bond to be responsible for what

what they published? In fact, the measure would tend to suppress all papers but those who were supported by Government. The honourable Gentleman, speaking of a learned Friend of his, (Mr. Erskine), to whom the liberty of the Press owed more than to all the lawyers whom this country ever produced, styled him "the advocate and patron of all libels." The honourable Gentleman knew that this assertion would have been a libel anywhere else. It was a libel then, it seemed; against the Majesty of William Pitt, to say that he was not sincere in the negotiation for peace! Certainly the charge of insincerity was not new; it was insinuated in Mr. Erskine's pamphlet; and he wondered how ministers could reconcile it with their impartiality to have passed over the charge in so many instances in which it was previously made. Many people still entertained considerable doubts of the Minister's sincerity in the last negotiation, but he never had conversed with any man who doubted of his insincerity in the first.

The *Chancellor of the Exchequer* said, that he did not mean to say that the charge of insincerity had been borrowed from any pamphlet of the learned Gentleman. He had said that he seen a speech ascribed to that learned Gentleman, in which he was stated to have asserted, that the charge alluded to was not a libel; and, perhaps, this speech, which was represented to have been spoken at a certain club, might have been a libel upon the learned Gentleman. As to that Gentleman being the advocate and the patron of libels, it was a point of fact, pretty notorious, that he had been very often employed in his professional capacity in cases of libel; in many of which he had succeeded; and in others he had fortunately been unsuccessful. If he had any knowledge of the character of the learned Gentlemen alluded to, he would be very sorry if the fact of his having been, in this sense, the advocate and patron of libels could be contradicted. A more atrocious libel than that in question, in which the learned Gentleman was now retained, never, he was sure, had occurred in the whole course of his practice. As to the assertion, that nobody doubted the insincerity of Ministers in the first negotiation, he could only reply by assertion. The honourable Gentleman must have spoken the opinion of the company he keeps, in saying this; for he was sure that a great majority of the country were convinced of their insincerity.

Lord Temple called on the honourable Gentleman (Mr. Tierney) as a public man, to state the name of the Editor who had

had been alluded to by him in his speech. The paper was, he said, a scandalous outrage on law, on morality, on religion, and on justice. It was the echo of France, and propagated with unyielding industry the monstrous misrepresentations of the French Directory and their detestable principles. His Lordship, therefore, thought Mr. Tierney would be wanting in his duty as a member of that House, did he for a moment hesitate to give the information he had required, in order to the bringing such a *scoundrel* as that to justice.

Mr. Tierney did not know whether the noble Lord had a right to ask such a question; but one thing was certain, that he would not turn common informer by answering that question. He did not suppose any other Member of that House would have asked a question so delicate, and that it would be so improper to reply to. He had often heard the noble Lord talk of his stake in the country, but that was a stake stolen from the public hedge. The editor of the paper alluded to was a man of respectability; and though the noble Lord took the liberty in that House of calling a man a *scoundrel* who had not the means of replying to him; he would not, perhaps, have ventured to say so before him. The paragraph complained of might have been inserted without the knowledge of the editor, or as coming from a person on whose veracity he relied. But whatever might have been the conduct of the Editor, the conduct of the noble Lord was reprehensible. To one thing his Lordship had not attended, namely, that the paragraph was afterwards contradicted. Thus much he had endeavoured to make himself understood; and Mr. Tierney concluded with saying, "I caution the noble Lord not to ask questions slipshodly, or he may receive answers he may not like."

Colonel Gascoigne said, that the contradiction by the Mayor of Liverpool was indeed inserted; but though the charge was inserted in conspicuous characters, the contradiction was inserted in a letter so small as few eyes could end endure to read.

Lord W. Russell said, he could not agree to the measure. It was inimical to the constitution. He took notice of Mr. Pitt's remarks on a certain publication, and asked whether it was fair to accuse the author before trial. A great deal had been said of libels against ministers, but not a word in reprobation of the conduct of those who in their newspapers had libelled certain members of that House, who had, in fact accused himself and his friends of being connected with the French Directory, and of inviting the enemy to invade this country.—The Attorney General might not know who it was that had thus been the atrocious

atrocious libellers of that House, but the right honourable Gentleman, (Mr. Pitt) could be no stranger to the principal among them, for his name was to be found in a pension list on their table.

The *Secretary General* was of the same opinion as his learned colleague, respecting the policy and expediency of the bill, and supported the motion in a similar train of argument. He accused Mr. Timney of having defended a paper which every day came forth to the public full of falsehood and full of treason. It was ridiculous to say that the paragraph might have been published without the knowledge of the editor, or from a reliance on the veracity of the person who sent it. A public acknowledgement had shown that neither of these circumstances were the case. It was, he thought, therefore, the honourable Gentleman's duty to give that information to the House which the most anxious enquiry had not put the Law Officers of the crown in possession of. There was, he said, a man whose name appeared at the foot of the paper, but he had absconded.

Mr. Tierney replied, that he had not defended the paper. He would ask, honourable Gentleman whether he had not, on the contrary, disapproved of the paragraph complained of.

Sir W. Pulteney said, that the liberty of the press was one of the chief pillars of our freedom, and he was glad that any measure connected with it was anxiously discussed. The description of that liberty in this country was, that there was no previous restriction upon the press, though the responsibility, as it ought to be, was strict. That the Press had been greatly abused was true. It was necessary, therefore, that the responsibility of those who used the press should be great.—There might be a danger, however, that prosecutions might be used in order to destroy the press. If prosecutions were attended with no difficulties, repeated prosecutions might ruin a party though he were always acquitted. In endeavouring to prevent the abuse of the press, therefore, it was necessary likewise to take care that prosecutions should not be vexatious. This evil might not occur under the Administration of the present Attorney-General, who had always discovered a great regard for the privilege of the Press; but, in making a general law, it was proper to guard against the possibility of abuse. The whole of the proposition then required a great deal of consideration. It did not appear to him necessary to take all the proprietors bound. If care was

taken

taken to have some of them bound, there was no occasion for including them all. As considerable capital was required for a newspaper, to require the whole to become bound, might discourage men of wealth from becoming proprietors, and ultimately increase the power of the crown, by engrossing the whole press, and paying it with the public money. That private slander was a loss to the public, by depriving men of talents and consideration of their proper weight was true. It would be a matter of consideration, therefore, how far it was proper to give to the public the right to protect it. The subject then ought to be thoroughly canvassed, and the bill narrowly watched in every stage of its progress. No point ought to be given up which served as a protection to the real liberty of the press.

The *Secretary at War* said, he rose to make a few observations in consequence of what fell from an honourable Gentleman on the other side (Mr. Tierney), in answer, or rather as an excuse for not answering a question which had been put to him by a noble Lord. One strong motive which induced him to rise at this moment was, that the noble Lord should not be left alone; for the honourable Gentleman seemed to think that there was no other member in the House who concerned in the propriety of putting that question. He begged to say, that he was one who approved of the question, though he admitted he had no right to call upon the honourable Gentleman to answer. The honourable Gentleman had done that which he had an undoubted right to do, declined to give any answer; and God forbid that right should be taken away from any man. It was a right which men found very often great benefit from in their examinations before a magistrate or a bench of Judges. The noble Lord, in putting that question, did not put it as one to which he had a right to enforce an answer; but it was rather in the shape of an appeal *ad verendum*. The honourable Gentlemen seemed to think that if he gave this information, it would place him in the situation of an informer. The term Informer was one which many persons found an interest in reprobating; with respect, however, to himself, and those who had the honour to be of His Majesty's Privy Council, they were bound by an oath to make discovery of every traitorous machination that came within their knowledge. The person of whom this inquiry was made, was one who inserted a libel in his paper, and the honourable Gentleman took credit to himself

for being the first to condemn it. The defence he had set up was, that he did not know it to be false; but it was the duty of a man in that situation to know that it was true before he sent it out into the world. The person about whom the inquiry was made, was the author of a paper such as every one knew the *Courier* to be, a paper to which there was no term of reproach that could not be applied—a paper written with the most traitorous designs, and devoted to the service of the enemy. It would be useful for the purposes of public justice, that the editor of such a paper should be known. If the honourable Gentleman had been influenced by friendship in the refusal he had given, he should be willing to make every allowance; but the honourable Gentleman had himself disclaimed that motive; then upon what principle could he defend his conduct? But as he had before said, the honourable Gentleman was master of his own conduct. He could not avoid observing, that nothing which had been said of the question put by the noble Lord had convinced him that it was not a proper one, and though the honourable Gentleman might stand upon his right of refusing to answer, yet he would perhaps find some difficulty in exercising that right. This brought to his recollection a scene in a comedy, where a husband, finding some gentlemen in his house, and with his wife, at night, asks them, how they came there? The poor man who asks the question is immediately cried down by all the company, and the question is generally reprobated. One of the company has, however, the honesty to acknowledge in private, that the question was very *apropos*.

Mr. *Tierney* again repeated, that he would not answer a question that would put him in the situation of an informer. He would nevertheless ask the right honourable Secretary one question, which he hoped he would have the candour to answer.—“Does he mean to say that I am connected with a traitor?”

The *Secretary at War* replied, that the paper was treasonable, and although the honourable Gentleman had acknowledged being acquainted with the editor, he had refused to state his name.

Mr. *Tierney* said, he was not in the habit of taking in that paper; he merely bought it when he heard it blown about with a horn, as containing great news from France. He added, “If the Editor be really guilty of High Treason, indict him, and call me as a witness.”

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The question was now put, and leave given to bring in the Bill.

BUDGET.

The *Chancellor of the Exchequer* gave notice, that on Friday, the 20th of April, he intended to bring forward the remainder of the Ways and Means of the year.

REDEMPTION OF THE LAND TAX.

The order of the day for the House to resolve itself into a committee of the whole House to consider of the proposition relative to the sale of Land Tax being read, and the question for the Speaker leaving the Chair, being put,

Mr. *Buxton* rose, and professed his conviction of the necessity of great exertions in the present critical state of the country; he thought, however, that it would render the present measure more popular with the landed interest if there was some provision in the Bill that if ever any new impost was laid on land, a tax to the same amount should be laid on other property.

The *Chancellor of the Exchequer* said, that if the honourable Gentleman had no general objections to the measure, he surely would not insist upon such a condition. What criterion was to be adopted for assessing other property; and how could Parliament pledge itself to tax all other property, when it was already pledged to lay no burden upon funded property?

Sir *W. Pulteney* wished that, as the House had been so late last night, the discussion might be deferred till the next day.

The *Speaker* said, as it was intended to receive the report of the committee before the adjournment; the House would observe, that it was without example to receive the report on the same day on which the committee sat.

The *Chancellor of the Exchequer* said, that he should have been very ready to comply with the wishes of the honourable Baronet, as he seemed desirous to turn his attention to the subject; if the forms of the House had not rendered it necessary to go into the committee. As there would be an opportunity of discussion on the report, the discussion might be taken up now, and continue as long as Gentlemen saw convenient, and resumed on the report. This was acquiesced in.

Mr. *Jones* thought this measure a partial financial operation.

tion. He was sorry to oppose any measure that was intended to strengthen the country at the present difficult crisis, but he was convinced that this measure was most oppressive to the landed interest. He did not like to see the land ~~spelled~~ ^{spelled} upon every occasion, and such a disposition shown to favour the monied interest. He did not like to speak ill of any body of men; it was not his character; but he would remind the honourable Gentlemen what his immortal father had said of the monied men, "They were a set of men ready to supply every minister with money on their own terms, and no longer." The revolution of France was brought about by the tribe of money-lenders, jobbers, and the whole of that swindling fraternity. We ought, therefore, to be on our guard against them. He trusted that, on the present occasion, the landed interest would stick together.

The *Chancellor of the Exchequer* lamented to see that an honourable Gentleman whose zeal in the cause of the country he knew, and whose motives he respected, had not taken sufficient pains to inform himself on this subject, and seemed to have imbibed the prejudices which he imagined the good sense of modern times had laid asleep for ever. The measure imposed no new burden, nor, if carried, gave the House any new power of farther assessment. On the contrary, the rejection of a measure, tending to raise the funds, and so to encrease the facility of borrowing, might render great burdens more necessary, and farther assessments much more probable. He was surprised to hear the honourable Gentleman say that the French Revolution was occasioned by the monied men. For his part, he believed that it was occasioned by those who had neither money nor land, and who wished to get the land and money of other people. Against this swindling fraternity it certainly was our duty to guard. He was sorry to hear it again talked of, that there was a difference, nay, a contradiction between the landed and monied interest. The prosperity of the last century was owing, as much as to any thing else, to its being at length understood that they were indeed the same. The monied interest must be sensible that their great security rested on the solid basis of the land; and the landed proprietor was sensible the value of his estate, his means of improvement, the price of his produce depended on the prosperity of the monied and commercial interest. Nothing could be more hostile to the interests of the country than to revive the distinctions and jealousies between them. On every occasion the monied men had shewn the warmest zeal for

for every thing in which the welfare of the country was concerned.

Mr. Jones explained.

Lord Sheffield thought that nothing could be worse than the principle of the measure. The land was already loaded beyond what it was able to bear. The Provincial Cavalry and Supplementary militia had imposed upon them grievous additional burdens; the poor rates had increased to an enormous degree. In many places it was 12s. a pound at rack-rent. In this state of things was it wise to bring forward the present measure? The facility of getting at the land too would be a temptation for new imposts as soon as this measure was disposed of. He did not think that it would even have any effect in raising the funds. It was a little expedient of the monied men, who were constantly talking of quacking remedies to raise the funds without taking a comprehensive view of the general interest of the country. Sir Robert Walpole had compared the landed interest to a sheep that lay down, and was torn without a struggle, while the monied interest was like a hog that picked up all its bristles and cried out the moment it was touched. This would be a just picture of itself, if they submitted without opposition on the present occasion. If it was carried, it would, to those who wished for reform, be the strongest argument for its necessity, and would show that the landed interest had not sufficient weight. He was decidedly against the measure.

Sir Gilbert Harrison considered the measure now before the House to be one of the most important that could come under its discussion. He was satisfied that no description of men in the country were more heartily disposed to come forward and relieve its exigencies, than the landed Gentlemen. But should it be necessary to impose any new tax on them, it was his wish and opinion that it should be laid fairly and equally on all.

The Chancellor of the Exchequer complimented the patriotic spirit and language of the worthy Baronet, and assured him, that should the exigencies of the state require the imposition of any new land tax, it was likewise his opinion that it should be laid on some more equal basis than that which existed at present.

Mr. Harrison declared he had only to say, that rendering the land tax perpetual was laying an additional burthen on the landholders.

Mr. Ryder denied that it was possible to prove that the present

sent measure went to lay an additional tax on land. Much had been said against making the tax perpetual; but was any Gentleman bold enough to hope, that future times might be so changed for the better, as to enable us to diminish the Land Tax? Surely not; and even were we arrived at the happy days, when the burthens of the people were to be alleviated, no one could undoubtedly have the face to say, that we should begin by removing the Land Tax. The landed interest could, therefore, claim no merit in agreeing to render that tax perpetual, which there was not the most distant prospect of being ever taken off.

Mr. Harrison and Lord Sheffield said a few words in explanation.

Sir *William Pulteney* perfectly agreed with those Gentlemen who opposed the present plan, as one that will bear peculiarly hard on the Landed Proprietors. The weight it will throw on their shoulders, they could have no opportunity of alleviating by devolving a portion of it on the shoulders of others. For when ever a rise took place in the price of commodities in general, no profit ensued thereby to the landlord, whatever advantage it was likely to furnish, was sure to go to the occupier; the landlord, therefore, could be indemnified in no degree. He was in the case of a person with a certain fixed annuity, who is obliged to pay the price of every thing, but who cannot throw the burthen on others. It was also said, and not without much plausibility and appearance of truth, that this plan went to give a preference to the monied over the landed interest; of the possibility of giving that preference there cannot exist the least doubt; and if the plan now proposed for selling the Land Tax has a tendency to give that preference, which undoubtedly it seems to have, then as certainly will that preference turn to the prejudice of the landed interest. But it is said, this apparent partiality in favour of the monied men cannot, by the operation of this plan, affect the landed Gentlemen, and why? Because it is equally open to the landed Gentlemen to buy up the tax, as it is to the monied interest. But if the landed interest could buy up the land tax at twenty years purchase, as it was proposed, then they would act as monied men, and it would not affect them as land-holders. This, however, they cannot be supposed to do; they have not in general the means of coming forward to make such a purchase, and they are therefore precluded from deriving any of the benefits from it which are said to be attached to the plan.

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What moreover proves that it gives a preference to the monied interest is, the very language in which it is spoken of by the Chancellor of the Exchequer. For he himself confesses that his plan holds out a tempting bargain; but who are they that can take advantage of this tempting bargain? Are they not the monied men, and is it not consequently a decided and evident preference given to them over the landed interest? Indeed, in all points of view in which he considered the plan, it appeared to him to be one that was taken up rashly and precipitately; it was scarcely possible that the Chancellor of the Exchequer, who had now much practice and experience in financial concerns, could ever have thought of proposing a plan so very exceptionable, had he viewed it even superficially in all its parts. Indeed, when he more seriously reflected on its tendency, he was more than astonished, that his Majesty's Ministers could have been so mad as to venture to propose a measure which in its nature must tend to sow division, jealousy, and discontent throughout the nation; and that at a moment when it is surrounded and threatened with such alarming dangers. He was confident, or, at least, from former experience, he was induced to hope, that when the right hon. Gentleman had more seriously attended to the nature of his proposal and to the manner in which it was received, he would naturally withdraw it, and not permit it to go a single step further.

But what was the great object, for the attainment of which this hazardous plan has been introduced? As far as he could gather an idea of the benefit that was promised to result from it, the most prominent advantage was, that it would remove from the market a large quantity of three per cents. and by thus removing this large portion of stock, it would tend to raise the remainder. From this another advantage was to arise, namely, that the right hon. Gentleman would be thus enabled to make a better loan. But even in this view of the plan, he was much afraid that the right hon. Gentleman would find himself hugely disappointed. For this financial manoeuvre, if such was his expectation, would not enable him to make his loan one shilling cheaper. It was not from what had transpired of this plan, that stocks had risen from 47 to 50. A variety of other circumstances had concurred in giving them that rise; and it was his firm belief, that when this favourite scheme came to be better known, it would not have the effect of raising the funds. No benefit could therefore result from it by bettering the terms

of the loan ; for monied men would always look to their own advantage, and the borrower must be always in the power of the lender, except when a struggle of competition might make his terms more advantageous. It was moreover to be observed, that it was not the addition to the Stocks that made them fall, nor the removing of any part of them from the market, that made them rise ; their rise or fall could never be materially affected, as long as no doubt arose about the taxes being sufficient, and at the same time secured for the payment of the public creditor. But, in another view, how was this plan to prove beneficial to the Public ? It proposes to give a perpetual five per cent. for a perpetual six per cent. ; and thus on forty million, to procure a gain of one per cent. or four hundred thousand pounds. This, however, could be but a distant object, and by no means applicable to the relief of our present exigencies, which, however, the plan purported principally to have for its object. Neither would it remove any quantity of stock out of the market ; for the five per cent. perpetual which you grant out of the Land, if you permit it to be sold, which we may suppose to be the case, will thus come again into the market, and form a capital of stock preferable to every other, as being perpetual. This, in another light, might be attended with no small mischief ; for nothing could be more mischievous than to hold out any security as preferable to the security of the funds. A difference, however, would appear between the two securities held out by those two different kinds of stock, and the difference would soon strike every body. This new scheme will, besides materially obstruct the most material object which it seemed to aim at, namely, the borrowing of money on more advantageous terms ; for, by it the Chancellor of the Exchequer creates a competition against himself ; for monied men will sooner employ their money in buying up this new stock than in lending it to the honourable Gentleman ; and thus his plan would go to frustrate his own designs. Indeed it met no object for which it was intended : instead of withdrawing stock from the market, it only occasioned a transfer to another stock ; and, though it held out a chance to the landholder to buy up his share of the Tax, yet that chance would every day diminish as the Stocks rise ; and thus the plan would prove not only an idle speculation, but a source of injustice and injurious partiality.

The only advantage, therefore, that seems to be derived from it is, that upon forty millions you get one per cent. ; but this advantage is fully counterbalanced by the conversion
of

of the present Land Tax into a perpetual annuity; and, instead of taking out of the market a great portion of stock, this annuity of five per cent. being irredeemable, will naturally replace what is taken out originally by the purchase of it; and a perpetual irredeemable 5 per cent. stock is thus established, to which the operation of the sinking fund can never apply. Upon the whole, the plan very justly gives discontent to the country gentlemen; it would not be productive of either mediate or immediate good; it was moreover a violation of the Constitution, and that in a manner which a bad Minister might make a very bad use of. He therefore hoped the landed Gentlemen and the House in general, would make a firm stand against it; for his part, he would oppose it as a dangerous theory, and as a mischievous speculation.

Mr. Robert Thornton said, that though on most occasions he admired the financial knowledge of the worthy Baronet, yet, on the present, he was very far from approving his ideas. He could not therefore agree with him, that the present plan would fail in its intended objects; he was satisfied, on the contrary, that it would reduce a quantity of stock, and thereby be productive of essential service. As to the invidious distinction which it was supposed it would draw between the landed and the national interest, there was surely no room for such a supposition; and much did he wish, that no hint even should be dropped of any such distinction or contradiction of interests, for it was only by a cordial union of the landed and national interests that their mutual happiness could be secured, or that their common country could be saved. He was, indeed, in every way, against all inequality in the Land Tax, and was earnestly desirous it might be something like equalized. Nor would he object to seeing all other species of property liable to a proportionate tax; and could such a measure be devised, it should have his cordial concurrence.

Sir William Gaird said, that he had objections to the principle of the measure, yet he would not ultimately object to it, if he perceived it tended to strengthen the country, and to convince the enemy of the invincibility and inexhaustible state of our resources.

The *Financial Times* observed, that the very debates that were then going on respecting the utility of the plan were, of themselves, a sufficient reason for continuing them, and that the discussion of its merits or demerits; he hoped, therefore, there would be no farther opposition to the Speaker leaving the Chair. He was not a little surprised at
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hearing a worthy Baronet (Sir William Pulteney) treat the present plan as an hasty speculation, introduced to the House without any mature consideration. It was well known that the measure had undergone a very minute examination, and that it had been meditated on for a very great length of time, at first however, he must own, that he was rather averse from adopting it, because he imagined he had discovered objections to it that were, in his mind, insurmountable; but from several discussions on the subject with his right honourable Friend, he was now become a perfect convert to it, nor would the worthy Baronet be so urgent in his disapprobation of the measure under discussion, were it not that it disagreed with some favourite ideas, and darling plan of his, which he felt indignant at, not having met with the countenance of his right honourable Friend, and the approbation of the House. The observations made by a noble Lord (Sheffield) respecting the Crown Lands, and the epithets of speculation and jobs which he so liberally bestowed on the manner in which they were regulated, were as groundless and as ill-merited as the animadversions of the worthy Baronet: and, most assuredly, the noble Lord would not have made use of them, had he attended to the conduct and character of those who now had the superintendence of those lands.

Sir *William Pulteney* observed, that the learned Gentleman must have formed his judgment of his conduct, from the motives which actuated his own, when he supposed that the opposition which he now gave to the plan of the right honourable Gentleman arose from his fondness for favourite ideas and schemes of his own, and which that right honourable Gentleman had not been pleased to approve. No such mean motives had ever actued his parliamentary conduct; and whether he supported the Minister, which he had frequently done, or whether he opposed his measures, he had in either case acted according to the dictates of an unbiassed judgment, and in this opinion of him, he trusted the House would concur. But, as to the learned Gentleman, the motives of his acquiescence in the measures of the Minister, he himself had explained. He at first felt some objections to the present plan; but, on discussing it with the right honourable Gentleman, his objections, he says, were done away, he now gives it his support, struck, no doubt, and overwhelmed by the great talents and persuasive mode of reasoning, which the right honourable Gentleman is so well qualified to exert.

The *Solicitor General* said, that this unmerited attack from
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the honourable Baronet proceeded from a personal resentment against him. He, however, could boldly say, that he possessed a mind as independent as that of the worthy Baronet, and that he was by no means in the habit of yielding implicit obedience to the will or judgment of his right honourable Friend. His right honourable Friend, on the contrary, would do him the justice to say, that he had frequently canvassed and disapproved his conduct with the candour and frankness of friendship; and that when he knew him in better days, had he followed his advice, his right honourable Friend would not be now in the state of painful pre-eminence in which he stood. He was ready to acknowledge the superior talents of the right honourable Gentleman; but had never bowed to them with that servility which the worthy the Baronet seemed disposed to accuse him of.

Sir *William Pulteney* disavowed any intention of giving offensive language to the learned Gentlemen, and insisted that his public conduct was never swayed by personal resentment, or any such petty motive.

The *Speaker* then took occasion to observe, that warmth of expression frequently arose from repeated explanations. The House, he trusted, would therefore agree with him in the necessity there was of enforcing its Rule, and not permitting any Gentleman to speak more than twice, without keeping him strictly to the line of explanation.

Mr. *Simeon* contended, that the objection to the present plan of its being unconstitutional, was altogether unfounded. The land tax, that was hitherto voted annually, was not, by this plan, converted into a perpetual tax, but it was wholly annihilated. Those who urged this objection, had split one proposition into two; for, if they had attended to it, they would have found, that though the first clause makes the tax perpetual, yet the second declares, that it is made, &c. merely for the purpose of being sold.

Mr. *Nicholls* said, he could never agree to the principle of the measure, because it was flagrantly unjust. He must therefore oppose the *Speaker's* leaving the Chair.

Mr. *Dent* said, that he considered this as a measure of great importance. He thought that the Committee was the best stage for its discussion; and therefore he should vote for the *Speaker* leaving the Chair.

Mr. *Bastard* contended against the principle of the Bill, which, in this case was intended to be brought in by the Chancellor of the Exchequer. He contended that the landed interest

terest should not be sold for the advantage of the monied interest. If this measure raised the funds, it would most certainly lower the price of land. He should not wonder if the very first operation of this Bill were to diminish the price of land four or five years purchase. According to the sound principles of British jurisprudence, no one species of property ought to be sacrificed for the benefit of another. The House ought to look with the greatest jealousy to every branch of the public expenditure, and he perfectly agreed with the noble Lord (Lord Sheffield), who thought that the Chancellor of the Exchequer ought to dispose of the public property before he touched that of individuals. If the House looked to the variety of resources the Chancellor of the Exchequer might derive from that quarter, they would be satisfied those resources would produce as much at least as the present measure. If the Crown Lands were disposed of, this effect would follow, that a certain portion of the taxes, which at present were so severely felt by many of the inhabitants of this country, might be taken off. But no taxes would be taken off by this measure: one species of property only would be benefited, and another burdened. The effect of this measure would be another Land Tax, and then the Minister might say, the necessities of the State required that this new Land Tax of one or two shillings in the pound, should also be sold; that this measure was necessary still further to raise the Stocks. And then a third Land Tax might be imposed. He knew nothing to prevent the measure from being carried to that extent if the principle were once admitted. The good old orthodox doctrine of that House was, Look to the beginning of things, and make your stand *in limine*. Look, likewise, to the probable consequences of measures. The motto of the landed interest of Britain in this case should be *obsta principiis*. If a door was once opened, it was impossible to say what the consequences might be. He conceived the price that was to be paid, and paid by the monied interest, was much too low. And when a thing was sold at an under price, it always bore a suspicious character.

Mr. Bastard, entering into the different resolutions, to shew that the Speaker ought not to leave the Chair;

The Chancellor of the Exchequer interrupted him, and observed that it was not very candid or proper in the honourable Gentleman to declare that he would vote against the Speaker's leaving the Chair for the purpose of receiving explanation on the particulars of the clauses; and yet the honourable Member was entering into a discussion of the clauses, in order to bring

bring a general prejudice on the measure, which he had no right to do till they went into a committee.

The *Speaker* said, that it was not regular, in this stage of the proceeding, to enter into the detail of the resolutions, because they were not printed by the authority of the House. All that was regular to be discussed, at present, was the principle of the measure. The Resolutions could not be detailed in the committee.

Basford then concluded with giving his opposition to a measure, which he thought would operate as a sacrifice of the landed interest.

The question was here loudly called for.

Mr. *Wilberforce* expressed his regret at troubling the House at that hour, on a subject which, in several material points of view, appeared to have been thoroughly discussed. However, some part of what had escaped an honourable Gentleman who had lately spoken, rendered a few words necessary. After displaying some humour, a mode of reasoning which that Gentleman had adopted, he deprecated the discussion of the principle of such a measure as the present, and in the state in which it then stood, previous to its being matured in a committee of the whole House. At the same time he could not help remarking, that some Gentlemen, notwithstanding their professions of discussing the principle, had in fact debated the measure clause by clause. This blended consideration of principle and detail floating in one honourable Gentleman's mind during the whole of his speech, naturally had obscured his understanding, and prevented him from seeing distinctly either the principle or detail of the measure in separate views, as they necessarily should be. To recur to the main point—he would contend, that whatever went to invigorate Public Credit in the present situation of the National Affairs, tended to give additional security to every description of property. In the county which he had the honour to represent, there resided a number of individuals of great money as well as landed properties; these he knew coincided in the sentiment, that the two kinds of property rested on the same foundation; they were aware of their reciprocal connection and dependence, and they were mutually willing to assist each other. He was convinced, that if, by any means, he could invigorate public credit, he would most substantially serve the interest of the country, and conduce to the solid advantage of the whole. Of particular details of the measure, he as well as other Gentlemen, might entertain doubts; and the best and most regular

lar way to solve or to remove these was, by going into a committee on the propositions : for his part, he was most desirous to assist in meliorating them in that stage of the discussion.

Mr. *Bastard* spoke in explanation. He alluded to the efforts at humour made by the honourable Gentleman who spoke last, in describing his mode of handling the subject. After which he insisted upon the truth of some of his former positions. The present measure was, he said, clearly preparatory to making the Land Tax permanent. It could not be the present Land Tax that would be sold, for that was only temporary ; it must of necessity be a permanent tax. As to the argument used in favour of the measure, of the tax being sold at a low price, he asserted that it was an objection to it ; as every thing offered below the proper price bore a suspicious character. It was a matter of indifference with him, who were in power or who were not ; he would support a good measure and oppose a bad one, without any reference to the party in power. He was totally unconnected with any, and the rule he had laid down entirely governed his parliamentary conduct.

The question being loudly called for,

The House divided.

Ayes (for the Speaker leaving the Chair) 105

Noes - - - - - 13

Majority 92

The House, having resolved itself into a committee of the whole House,

The *Chancellor of the Exchequer* observed, that he had desired that the Resolutions on which he meant to ground the Bill, might be printed for the purpose of discussing them with more convenience in the committee ; and Gentlemen, with these Resolutions in their hands, had thought proper to exert all their ingenuity at great length in censuring the Resolutions, for the purpose of raising a prejudice against them, while he himself, in consequence of having made a motion and a short speech at the beginning of the business, was precluded from saying one word in reply to the different objections that had been urged against the measure. He had no idea that any Gentleman meant to oppose the Speaker's leaving the Chair, and thought they had reserved all their opposition for the committee. As none of the honourable Gentlemen, however, who had delivered their sentiments that night against his intended Bill, had made the House accurately acquainted

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with any of the Resolutions, and as it was his most anxious desire, that a measure of that great importance should be most fully and deliberately discussed in detail, and as he was confident that he could shew that most of the objections that had been stated were founded in misrepresentation or utter ignorance and misunderstanding of the subject and of the resolutions, he was aware, however, that he could hardly hope to solicit, at that late hour, the attention of Gentlemen to all the points which must necessarily be discussed; and as he perceived his great opponent (Sir William Pulteney) had left the House, he should postpone the farther consideration of these resolutions till to-morrow: he therefore had no objection that the Chairman should report progress, and go again into the committee at an early hour to-morrow, to discuss the subject, when Gentlemen were awake. He hoped no Member would oppose the Speaker leaving the Chair the next day, but would go into the committee, where the measure would be fairly discussed, and where he most earnestly solicited Gentlemen to state every objection they could conceive against the measure; but it was of that public importance, that he hoped Gentlemen would not come to the discussion with prejudiced minds, to raise objections on merely nominal grounds, without having the whole question fully and fairly before them. He believed that many of those Gentlemen who had made their objections that night, would repent if they had been successful in instilling into others their erroneous views of the subject, after they should hear the measure fully explained to them. He should therefore move, that the Chairman report progress; and should solicit the attention of the Committee to that subject at an early hour the next day.

HOUSE OF LORDS.

THURSDAY, *April 5.*

Their Lordships gave judgment in a cause, Wallis and Troward *versus* the Duke of Portland and George Tierney, Esq.

This was an appeal from the Court of Chancery.—It was a demurrer to a Bill filed by the Appellants against the Respondents calling upon them to state, whether the Duke of Portland had not authorised Mr. Tierney to employ the appellants to present a petition to the House of Lords against the return of Sir George Jackson, for Colchester, and whether

ther his Grace had not promised to pay the expences. A variety of argument were urged in support of the demurrer, and, on the 7th of August, the Lord Chancellor allowed the demurrer.

Mr. Fonblanque and Mr. M'Intosh spoke very ably in support of the Appeal.

Lord *Kenyon* was of opinion, that the judgment of the Lord Chancellor ought to be affirmed. The judgment was accordingly affirmed with 200*l.* costs.

The royal assent was given by commission to the National Defence bill, and a variety of public and private bills.—Adjourned.

HOUSE OF COMMONS.

THURSDAY, *April 5.*

The *Speaker* informed the House, that he had been in the House of Peers, where the Royal Assent was given by commission to the Bill for continuing to May next, the last Act for duties on Scots Distilleries, and to the Bill for the security and defence of the country; and also to several private Bills.

Mr. *Tierney* moved, That there be laid before the House, an account of the total amount of the taxes for the last year.

Also an account of the charges on the Consolidated Fund, &c. for the same year.

Also an account of the Exchequer Bills outstanding on the 5th of April, 1798, which were ordered.

The *Chancellor of the Exchequer* observed, that the report of the finance committee was of great public importance, inasmuch as it cast a light upon the situation of the country, and the state of its finance. It was necessary that other documents, besides those moved for by the honourable Gentleman, and ordered to be laid before the House, should be considered; and therefore he moved, "That it be an instruction to the committee on finance, that they have power to state the total amount of the public debt, and the interest and charges on it, as it stood on the 5th of April, 1797; and to state the amount of the public revenue at the same time, distinguishing the gross receipt of each branch; and the charges of management, as well as the net produce, &c.

Also to state an account of the public funds as it stood on the 5th of April, 1797, &c.

Also

Also to state an account of the sums applied to the reduction of the national debt, &c.—Ordered.

Colonel *Porter* mover, That there be laid before the House an account of the Voluntary Subscriptions entered at the Bank of England, distinguishing how much is to be applied to the payment of Assessed Taxes, and how much to Voluntary Contribution.

The *Chancellor of the Exchequer* said, he had no objection to this motion, as far as regarded its general effect; but he did not see it complied with in its present form. Money had been paid in at the bank, by numerous and various ranks and descriptions of persons; but that money was, in many instances, partly by way of Voluntary Subscription, to support the exigency of the state, and partly to cover the payment of the Assessed Taxes; they were not distinguished from each other, nor could they be so, because the assessment could not be made at the time the money was paid in. It was, therefore, impossible to state exactly how much was paid for the one, and how much for the other. 1000*l.* for instance was paid in by an individual, and 700*l.* of which was applicable to the payment of the assessed taxes, and 300*l.* as a voluntary contribution; and *vice versa*, how much was paid for both purposes could be stated; but it was impossible to state what was specifically applicable to each.

Colonel *Porter* observed, that there did not appear to him to be much difficulty about the matter; for the most material parts of this had already appeared in newspapers.

Mr. *Tierney* agreed with the Chancellor of the Exchequer, that the sums for the payment of Assessed Taxes, and those for voluntary contributions could not be distinguished; but as it was said that the voluntary contributions were greatly beyond the amount of the assessed taxes, he wished to see a correct list of them.

The *Chancellor of the Exchequer* said, that an account of subscriptions at the bank, distinguishing the heads under which they were paid in, could be produced, but nothing further.

The motion was then altered into an account of the subscriptions at the bank, distinguishing the heads under which they were paid in, the amount of the money, and the names of the persons paying them.

The *Chancellor of the Exchequer* said, he did not think it of any consequence to have the names of the persons subscribing. He was happy to say that they were numerous and respect-

able ; but he could hardly think that Gentlemen, on the same bench with the honourable Gentleman who made this motion, would agree with him in that part of the motion which called for the names of the subscribers ; for he remembered, when a measure was before the House for arming the country for its defence, the principle of which met unanimous concurrence, these Gentlemen opposed the idea of publishing the names of those who should offer their services, upon the principle that it tended to create an invidious distinction in the country, between those who were eager to come forward, and those who might decline it. If there was a delicacy upon that subject, there was a delicacy also upon this. Indeed he felt more reason for opposing this publication of names, than that of the other ; because that was a measure calling for the active, personal exertions of all classes of the people, in case of emergency, against the enemy ; in which, indeed, the zeal of the people would, he had no doubt, out-run the call of the Legislature ; but to the exertions of every individual, in such a case, he apprehended His Majesty had a claim, and which he would command ; and yet the House, out of delicacy, declined publishing the names of those who should offer their services in the first instance, in order to avoid the possibility of an invidious distinction. He thought, therefore, that the same delicacy should, at least, be observed in this case. If there were any members in that House who had not yet subscribed, the publishing the names of those who had subscribed, might operate as a reproach upon those who had not ; he hoped, therefore, that the non-subscribers in that House, if there were any, would take the advantage of the interval of the holidays to send in their contributions.

Mr. *Tierney* said, that the names of the subscribers was not in the first motion upon this subject, nor had he the least wish to know the names. He agreed with the Chancellor of the Exchequer on the question of delicacy. But this was not applicable to the bank ; in this case, it was perfectly notorious that they had subscribed 200,000*l.* He wished to see that fact authentically laid before the House. As to members of Parliament subscribing, he begged leave to say, that he was to judge for himself ; he might be of opinion, that the assessed taxes were enough for him to bear. He must, however, again observe, that the fact of the subscription of the bank ought to be laid before the House ; for he believed no lawyer had yet declared, that the manner in which that subscription

was entered into, was justifiable by law. The individuals who took the lead in that business, had a right to subscribe what they pleased for themselves; but he did not like to see that sort of subscription which cost the party voting it, perhaps, nothing.

The *Chancellor of the Exchequer* said, that the fact of the bank having subscribed 200,000*l.* was perfectly notorious; and therefore there was no necessity for laying an account of it before the House. But, if the honourable Gentleman thought there was any law which made that criminal, or made it criminal in the House to apply the money so voted for the exigency of the state, he would debate that question with the honourable Gentleman any day he pleased.

The *Speaker* said that, if this matter was to be discussed, it must be by a separate motion.

Colonel *Porter* agreed to leave out the part which called for the names of the subscribers.

Mr. *Hobhouse* said, he thought that all these subscriptions tended only to keep ministers in their places; for which purpose he would not subscribe, because he did not think that he should serve his country by so doing; but there was no exertion, either by his purse or his person, that he was not willing to make to keep the enemy away.

After a few words from the *Chancellor of the Exchequer*, the motion, leaving out the part with respect to names, was put and carried.

The order of the day for the commitment of the Alien Bill was postponed to Monday se'ennight, on the motion of the Solicitor General.

LAND TAX.

The *Chancellor of the Exchequer* then moved the order of the day on the Land Tax, and the House resolved itself into a committee of the whole House upon the Resolutions.

The *Chancellor of the Exchequer* declined entering into any general detail of the Resolutions which he had to move before the committee, because the subject had already been a good deal discussed; but principally because another day would be appointed for the discussion; he said, he should propose Monday se'ennight for the further consideration of the matter.

Mr. *Nicholl* renewed his objections to this measure.

Mr. *Hussey* said, he was satisfied that this measure would not have the desired effect, namely that of relieving the funds. The right honourable Gentleman had said, he would satisfy

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count of the sum of money subscribed for carrying on the war,
under the provision of the Act of the last Session of Parliament,
intituled, "An Act for granting to his Majesty an aid for the
prosecution of the war, &c." Ordered to be laid on the
table.

SHIP OWNERS BILL.

Two petitions were presented against the Ship-owners Bill
—Ordered to be laid on the table.

Mr. Alderman *Lushington* moved the order of the day, which
was for the second reading of the Ship-owners Bill.

The order being read,

Mr. Alderman *Lushington* observed, that being the original
proposer of the present Bill, he then felt it to be his duty to
state the grounds on which he had brought it forward. But
before entering into the circumstances of the case of those per-
sons whom it was the object of the measure to relieve, he
thought it necessary to remark, that the subject was one which
had become not only highly important to individuals, but also
to the general interests of the country. When he stated it to
be thus interesting, he was in no fear of being contradicted
when he asserted, that that must be a benefit or loss to the
country which was a benefit or loss to commerce. Whatever
stimulated the genius and increased the industry of the coun-
try would, in its effects, benefit generally every class and de-
scription of men; and no people had ever been more distin-
guished for their patronage and protection of Arts and Commerce,
than the English. It would be felt that this spirit could not
be more laudably called forth than in behalf of men who were
always usefully engaged in promoting and facilitating the com-
mercial relations and intercourse of the country with other
States. And, while the Legislature occupied itself in the con-
sideration of measures and the adoption of plans for multiply-
ing the means of inland navigation, and improvements of the
turnpikes, he did hope so valuable a class of men as the ship-
owners would not be denied relief. The Bill itself was found-
ed on principles of substantial justice, and if there existed any
cause of apprehension of improper use being made of the indul-
gence of that House, it was to be found on the other side (al-
luding to the petitions against the Bill), not among the Ship-
owners. In fact, the object of the Ship-owners merely was,
to induce the legislature to pass a law which should determine
with precision the degree of responsibility which ought to sub-
sist between the freighters and owners of ships. It was in every
gentleman's recollection, that the decision of the Court of
King's

King's Bench, in the case of *Smith against Shephard*, had placed the Ship-owners in a situation altogether new, subject to a responsibility which, till that question was agitated, had never been dreamt of, and which in its operation and varied effects had, since then, most severely wounded commerce, and discouraged the enterprising spirit of a principal part of those concerned in carrying it on. Not less than 50 or 60 millions of property had been afloat since that decision, and the responsibility which had attached to the Ship-owners, had subjected them to an increase of the premiums of insurance to the enormous sum of 5 or 6 millions, by which they had suffered considerable injury. From these, and from the different other circumstances stated by him in detail, Mr. Lushington had no doubt but the House would be induced to agree to the motion for the second reading of the Bill, and ultimately to grant that relief to which the Ship-owners were, in his opinion, so justly entitled.

The Bill was read a second time, and ordered to be committed; and on the motion of the *Master of the Rolls*, the petition of Messrs. Buller and Co. against the Bill was referred to the said committee.

SALE OF THE LAND TAX.

Mr. *Hobart* brought up the Report of the Committee upon the Land Tax.

The Resolutions being read, and the question being put, for reading them a second time,

Mr. *Harrison* said, it was a matter of considerable surprise to him, that the minister should bring forward, and persist in, a measure; the inconveniencies and hazards of which were so great and certain, and the advantages so small, remote and doubtful. In the present calamitous situation of the country, he should not oppose any measure that was likely to improve our finances, although he might see many inconveniencies and hardships that would in all probability attend it; but this he thought would produce a great evil, without affording the chance of any good; and, therefore, he was under the necessity of opposing it. If it was intended as a relief to the situation of the country, in point of resource, its operation must be very slow indeed, and the beneficial effects upon the trade and commerce of the kingdom, would be very trifling, if any thing at all. It would take five years, according to the statement of the minister, to bring the plan to maturity; and if it succeeded to its full extent, it would produce 400,000*l.* a year to the public;

public, but that he very much doubted; and he thought that the minister might find a better way of relieving the country, if he looked at the various branches in which there was so much waste of the public money. The situation in which the land-owner would be placed by this measure, would be that in which there would be great risk and hazard. He was called upon to declare, within a twelvemonth, whether or not he would purchase his land tax. In the present condition of things, it would be very difficult for him to procure the money; and if he should resolve to purchase the tax, and should pay one or two of his instalments, and was unable to fulfil the rest of his engagement, he would lose the whole of what he had advanced. But, perhaps, he might be told, that if he applied to the Exchequer, he might be favoured; but this favour would depend upon the public conduct by which he was distinguished, and would be matter of court favour and ministerial influence. That was a situation in which no man ought to be placed. These were terms to which no man ought to be subjected. This measure, in all its bearings, reminded him of the various plans brought forward by the Chancellor of the Exchequer, upon each of which, in its turn, high panegyrics were bestowed, and yet a number of which had proved inefficacious; and many of which were afterwards abandoned altogether, with as little concern at their failure, as there was wisdom in their commencement. This measure appeared to him to be likely to answer so little good, that he could not see any public policy in it; he therefore could not help suspecting that it was brought forward with some secret view. It appeared to him to be a plan to make the landed answerable for the funded interest of this country. Hitherto the one had been kept free from the other. This plan was to raise the price of the funds; if it had that effect, we might hereafter see the whole land of the country involved, and become a collateral security for the funds. The funds stood on a certain ground, as they were placed by parliament; they should abide the event without coming upon the land for a further security; here were 80 millions of Stock to be brought upon the land for security, for which there appeared to him no justifiable excuse; for these reasons he should object to the second reading of these resolutions.

The *Chancellor of the Exchequer* said the question before the House, in its present form, was, whether the resolutions should be read a second time or not? But, by the objections of the honourable Gentleman who had first spoken, he should almost

almost have doubted whether they had been read a first time. He said, that if he saw any great good likely to arise out of this, he would have voted for it, although he might think it would be attended with many inconveniences; and yet he now decided that he should oppose the measure, without examining the difficulty, or giving room for any remedy, if any difficulty should hereafter appear; that was the effect of opposing the second reading of the Resolutions. The honourable Gentleman had said, that eighty millions of stock was to be thrown upon the Land for further security; and that the plan would not be matured until a remote period. That honourable Gentleman was not in the House when the plan was opened, or he would not have made such observations. It was true, indeed, that part of the plan was a pecuniary gain to the public, and that to a considerable amount; but that was an object of a secondary nature. His opinion was, that whatever was the extent of the pecuniary advantage to the public, as far as it went, it would have an influence to raise the price of the Funds, that would tend to raise the credit of the country, and, by so doing, increase its resources; the consequence of such a system must be progressive, and it would have many advantages; but it would be nothing without that greatest of all advantages, that of leading to other measures, which, when they are developed, will shew to the enemy, that we are able and willing to contend with them for every hour during which their obstinacy shall render that unavoidable. He, therefore, did not think that the Gentleman who spoke last, took the best method of supporting the stake that country Gentlemen had in the country, when he said, that this measure made the Land a collateral security for the Funds. He would not debate the question in that view of it. He thought it evident, that if the principle of the measure was, what he felt it to be, to improve our resources, to enable us to support this contest, and one who had any stake in the country, no one who called himself an Englishman, no one who had the feelings of a man, could oppose that principle: for to the House was committed the care of all our property, our lives, and something dearer to a nation than either, its character for honour.

He said again, that he would not debate with any man upon the propriety of supporting a measure that had that principle for its foundation; for on it depended, not the safety of the present race only, but of posterity also; all would be devoted to ignominy and slavery if such a principle was neglected.

ed ; every measure, therefore that was thus founded, ought not only to be discussed in that House, but ought, in some shape or other, to be adopted. He must therefore think it hard, that any thing should be done to prevent the second reading of these Resolutions by a Gentleman, who, it was evident, was ignorant of the nature of the plan upon which they were founded. That Gentleman was not present when these Resolutions were moved ; and now, as he was unable to find out any motive for moving them, he concluded there must be some secret motive. He would tell that Gentleman his motive. It was not in order to raise the Three per Cent. by taking away the value of land, but it was to raise the value of Stock in the Funds ; which, by the way, was a mortgage upon all the land, upon all the trade, and upon all the commerce of this country ; and, by raising that value, to raise the value of every other species of property in the kingdom, by increasing our resources. There was no land to be made collateral security to the Funds ; this was intended as a security to the public, in lieu of a duty upon land, and the honourable Gentleman misconceived the nature of the good which was expected to be produced by this measure. The particulars of the measure would come forward on the detail of the Bill ; and he could not regularly allude to them in the course of the Resolutions.

It was objected, that a person may make payments, such as two or three, and afterwards forfeit what he had paid, if he did not pay up the remainder. The honourable Gentleman might say the same as to nineteen payments upon his mode of reasoning ; but that was not the form of the Resolution upon that subject ; for it stated, that if any person shall omit to pay, at a given time, he shall forfeit the sum of ; which, when the Bill came before the House, probably he should propose to make it one tenth of the whole sum agreed upon to be paid ; however that would be matter for the consideration of a committee ; and here again the honourable Gentleman strangely mistook the resolution. But the honourable Gentleman's observation upon the relief to the purchaser in case of hardships, were curious. He said that the remedy was to be obtained at Court, or by Ministerial favours ; one would suppose there was some *double entendre* intended there ; that Gentleman would say, perhaps, by Court, was meant, " Court intrigue, Ministerial artifice." Nothing, however, could be more foreign from the matter, for the Court to be applied to in this case, was a Court as grave and austere

justify a court as any in which that Gentleman ever appeared, or to the gravity of which he ever added ; it was the Court of Exchequer. Indeed the honourable Gentleman seemed to be raising spectres in opposing these Resolutions, and for his own sake, as well as for the sake of the House, the Resolutions ought to be read a second time ; and he was persuaded they deserved serious attention, at a moment when the House was more than ever called upon to avail itself of the resources, and to make every exertion for the service of the country.

Mr. *Hobhouse* said, he felt this subject deserved the serious attention of the House, and he had endeavoured to understand it; the result of which was, that he could not bring his mind to assent to this measure. If it could be so altered and amended as to produce at last any probable advantage to the public he should be ready to assent to it ; but it appeared to him, that no alteration could remove his objections to the plan, because it was, in his opinion, fundamentally erroneous.

With respect to the brilliant state of prosperity of the country—its increase in trade and commerce ; its general affluence ; its great increase of all the advantages, which the Chancellor of the Exchequer insisted upon when introduced the measure to the House, he could only say, he hoped the picture was fairly drawn ; but he should venture, in passing, to express a doubt of that fact, especially when, he observed, that we were now excluded from many foreign markets, to which we formerly traded to a considerable extent. However, this was a topic on which he should not dwell, but he should come immediately to the Resolutions before the House. He had heard this measure objected to on constitutional ground ; and, he owned he had not heard any reason for changing his opinion, which was, that this measure, was repugnant to the spirit of our constitution, because the land, by being voted annually, was a check against a standing army, which check would be gone when the Land Tax was made perpetual. He admitted the propriety of reasoning on the other side, that if more money was made to be voted annually in another way in consequence of this measure, there would be a greater check in the hands of the House than that which they gave up. That would be conclusive with him, if the fact were so ; but he thought it otherwise ; for the House would not have the same controul over the Consolidated Fund as it had over the Land Tax. In the one case they had a real, in the other only a nominal, controul ; therefore it did not appear to him that the

objection taken on constitutional ground was removed. The Land Tax and the Consolidated Fund differed widely: the one was a varying and fluctuating thing; the other a fixed one; that is, it is now to be made a fixed one; it was not so originally; and he remembered, that in the year 1775, one shilling was added, and it was then said that the Land Tax might afterwards be lessened; upon the hope of which, perhaps, that addition was assented to. This measure in fixing the tax, appeared to him to be taking advantage of the generosity of the country: and for what object? To give to the Chancellor of the Exchequer a facility in negotiating a Loan to carry on this destructive and calamitous war, and for enlarging the wealth of money-dealers.

What an alarming precedent was this! What would be the consequence of it? The Chancellor of the Exchequer very fairly said, that Land may hereafter again be taxed, although, he admitted, that it was not just that property redeemed should be liable to another impost; but, by and by, as some people said, that this war was but in its infancy, there would be tax upon tax, until the country Gentlemen would find, upon examination, they had bought their own property over and over again. This seemed to him to be a very strong invasion of all property whatever. He agreed, however, it would produce the 400,000*l.* a year, provided it succeeded to its full extent; that seemed to him to be a mere question of arithmetic, but then it must be accounted for another way. He believed that an idea had gone forth, that this was a measure merely to raise the funds before the Loan; but it had not that desired effect, for, he believed that many men in the city were asking the part of *beasts*, while the Minister was acting the part of a *bull* in the alley, and that perhaps was the reason why the Funds did not rise. After all, he believed, that the hopes of the Minister from the Land Owners purchasing the Land Tax, would be disappointed: generally speaking, no persons had less ready money than the Land Owners; many of them mortgaged their estates pretty highly; and as to their borrowing any money now at five per cent. it was out of the question; the probability was that they would not purchase. Besides, he believed, that this would produce a system of retrenchment in expenses, and that would diminish the revenue in a way that would more than over-balance the profits of this plan.

These were the objections that appeared to him in this matter. He was not speaking for the Country Gentlemen; if he bore hard upon them, most of them deserved their fate,
for

for they were the great supporters of this war. He should not take any view of the clauses, many of which were ill drawn. He spoke generally of the outline of the measure.

Mr. *Ryder* thought several parts of the speech of the honourable Gentleman who preceded him inconsistent with each other. His objection to the Clauses might be done away in the committee; in which stage, no doubt, many amendments would take place, because it was impossible to make a measure of this kind perfect in the first instance. As to the objection against making the Land Tax perpetual, that he had spoken to on a former occasion; and, therefore, he should not repeat what he had urged already.

As to the general doctrine of varying the nature of a tax, he could only ask, what had the House been doing ever since any tax was imposed? Had they not constantly exercised the power of altering, varying, or repealing any Tax that they thought fit? And was the propriety of their so doing ever called in question? The present was not the time for considering the subject in detail, and therefore he should not enter on it. There was one point which came from the honourable Gentleman, which he could not help taking notice of. He said, this was a measure to enable the Minister to carry on this war; it was not to enable any Minister; it was to enable that House to enable this country to carry on the war—a war which the honourable Gentleman only called a calamitous and destructive war. He did not state it to be what the House said the country felt it to be; a just, necessary, unavoidable war. The honourable Gentleman did not seem to pity the Country Gentlemen; and he seemed almost willing to vote for this measure, by way of revenge against them for having supported the war. The truth was, that this measure was to enable the Country Gentlemen the farther to support the war, and to support their country. It was a measure that deserved serious attention; and he had no doubt but it would be amended in the committee.

Sir *William Pitt* observed, that it was always pretended by Ministers; when they brought forward any extraordinary measures like the present, that it was the necessity of the times that called for their sanction, and that they were never wantonly introduced and proposed with a view to answer any favourite object on their part. The zeal and spirit of the country was never wound up to a higher pitch than at the present moment; and it was open for the Chancellor of the Exchequer to devise many other far less objectionable modes of raising money than any

any he could now produce could not fail of being seconded; and brought into effect, by the forward alacrity of the people, to furnish every resource which the exigencies of the moment might require.

Viewing the measure in the light he did, he would now object to the second reading of the Resolutions; because the principle on which they proceeded was, in his mind, highly objectionable: it was also to be disapproved as inadequate to the attainment of its professed object; it was the avowed object of the right honourable Gentleman, in proposing the present measure, to raise the stocks; but certain it was, that it would not be attended with this advantage; but that, while it failed in raising the Funds, it would do much mischief into the bargain. It was however said, that it is incumbent upon those who pronounce the measure not to be a good one, to prove that it is bad, and to propose a better in its stead. This he would deny; on the contrary, it lies with those who assert the measure to be good, to prove that such is its tendency, and that such will be its effects; this is clear from the whole tenor of our parliamentary proceedings, which shew, that whenever a new measure is proposed, it lies with the proposer of it to adduce the reasons upon which he contends that the measure is a good one, and that its adoption will be followed by salutary effects. In the present case, the right hon. Gentleman himself does not contend that the measure now proposed to us is absolutely a good one. He, on the contrary, ventures no farther than saying, that there is a chance of its proving a good one. But, for his part, Sir William said, he denied the existence of such a chance. The posture of affairs, it is said, may make the immediate adoption of it highly necessary for the good of the public service; if so, then it must be granted, expedition is very proper. But, in the confusion of the right honourable Gentleman, the present scheme is not expected to produce any immediate good effect. Where then is the necessity of pressing it so urgently? We are told besides, that the laws we make to day, we may repeal next year. This may be true and safe in many cases. But, if a law is passed for exposing the Land Tax to sale, you can never restore it to where it was before; you may talk of indemnity; but few or none will accept of it, and you thus deliberately get involved in a mischief from which you cannot retrieve back your steps.

He would again repeat what he had before insisted on, namely, that it was not the quantity of stock that tended to raise or depress the funds; it was the quantity of money.

When

When money is scarce, the funds are low; when money is plenty, they are high. Nothing can affect them but money, or something that answers all the purposes of money. The right honourable Gentleman says also, that this scheme holds out a temptation to buy. But this is a mistake; it will never succeed. If you endeavour to force things out of their natural channel—thus, if you endeavour to force trade into any particular channel, you do more harm than good. The right honourable Gentleman thinks to drive money into this particular stock; but even if he did, it would not increase the quantity of money. There already exists too strong a temptation for placing money in the funds—6 per cent. is surely a very strong temptation, and a temptation that men of mind will easily yield to. Some landed Gentlemen (those who vote for the present measure) may perhaps be induced to purchase in this new fund; but while they convert their money, if they can raise any, to this new object, they will only cramp some more useful branches—they have many other calls for their money; they have their farm houses to keep in repair; they have their draining, and inclosing, and many other such more important objects that demand money, which must be neglected, if they are induced to throw their money into this new channel. Thus you see the measure tends to cripple cultivation, which is sufficient to shew that the principle of the measure is bad, and that the attempt to introduce it is imprudent and mischievous. Those who can get more than 6 per cent. for their money by lending it to government, will certainly not be tempted to buy into this new stock. Where then is the pretended alleviation to the funds; it is all a chimæra; and he would again say, that it was impossible to raise them without increasing money, or what served all the purposes of money. On the constitutional point he would offer but a word or two. By the operation of this measure, the whole of the money to be raised by it would be at the disposal of the Exchequer only; but was not this furnishing an engine that might become formidable, if there occurred times that were dangerous to public liberty? And would not this be the case, if the land tax is to be raised without the consent of Parliament? There was truly danger in this; but we are told it only goes to increase the consolidated fund—granted for a moment—but is not this in the hands of government? And does not the case widely differ, when the Exchequer cannot touch the money at all. Besides the right honourable Gentleman may be only buying up the present

present land tax, that he may have another laid on. Surely it would be acting a far fairer part to come down to Parliament, and expose the distresses of the country, and propose laying more out of the land tax, in order to relieve them. To this Parliament might assent; but, in the present case, all controul is taken out of the hands of Parliament. The land tax, as it stood, was the great pillar of the constitution; it was not good to hazard any change that might affect it, or that must prove so injurious to the land-holders, to whom the country must ever look for its chief support.

But we are again told, that the measure may, in some points, be objectionable; yet it may be so amended in its different stages, as to remove all those objections. This was of late become a very favorite topic; but surely where the principle of a measure was evidently bad, it must be wrong to go into any detailed discussion of it. There could be no doubt entertained, but that whatever might be the necessities of the Government, the country was now ready to come forward in its support with money, and with personal services. Why then attempt an objectionable measure merely for the chance of its producing one salutary effect, while it was certain to harass and oppress the landholders, who already paid their full share of all other taxes and rates, and who were moreover exposed to many expences and inconveniencies in their public capacities of Magistrates, Justices, &c. As to the middle class of landholders, they were already sufficiently oppressed by the Assessed Taxes—it was wrong to hold out the idea of another land tax: the present one should be kept where it was, and Parliament might refuse it, if government could be supposed to be acting against the liberty of the country. The measure was, in all views of it, exceptionable and unnecessary: the spirit of the country was now such, that it would cheerfully supply all the exigencies of the state—let the measure be therefore deferred at least for another year. Indeed the whole of the scheme seemed to be merely a piece of legerdemain, by which one part of the income was converted into another, while no real addition was made to it; but a mere juggle was attempted to be carried on, in order to make the people believe that something was doing while nothing was done in reality. As to the funds, they would derive no advantage from it—the idea of security alone could support and keep up the stocks. An honourable Gentleman (Mr Hobhouse) had been roughly handled for terming the present war a calamitous one. Certainly, whether it was

was first necessary or not, is now an idle question; we must now go on with it, and bravely defend ourselves to the last man and to the last shilling; but surely it must likewise be confessed that it has proved a calamitous war, not only to us, but to Europe and to the world in general. Therefore when Gentlemen were so fond to catch at this word, it was surely for no other possible purpose but to make a flourish.

Nor should the precedent of selling the land tax be passed over without serious attention. Would it not likewise justify the selling of a new land tax, and thus go on till the whole was sold out? The House was undoubtedly aware of the danger of precedents. This was a new and peculiarly dangerous one. It was material to keep the land tax where it now was; and he hoped he would no more hear of want of zeal for the measure; for they can give no better proof of attachment to their country and its constitution than by opposing a measure which is evidently fraught with much mischief and danger to both.

Lord Hawkebury could not believe that the worthy Baronet had ever looked at the resolutions which he opposed; had he duly attended to them, he would have found that, by the 15th resolution, the same control existed over government as before. The measure could not, therefore, be objected to in that light as unconstitutional. The noble Lord then entered into a vindication of the Chancellor of the Exchequer, whom he knew to have paid that serious attention to the measure now before the House which enabled him not only to say, that there was a chance of its being highly beneficial to the country, but that there was the strongest probability of its being attended with such advantages. He did not pretend to say that he had given any thing like a positive demonstration of these advantages: this could seldom or never happen; but that such a case was made out of the probable good effects attending the measure, assuredly merited worth the trial. It was wrong to compare or confound the stock that was to arise from the operation of this scheme with that of the other stocks. This would not be liable to the same degree of fluctuation as the others; for what was purchased here was intended to be kept; while what was purchased in the funds was generally bought with a view to selling it again; and it surely could not be denied but that the addition or diminution of 20 millions to or from the national debt, must greatly affect that confidence upon which, the price of stocks was contended so peculiarly to rest. So great a diminution of that debt must undoubtedly tend considerably to increase that

confidence. It was evident, that the discussion of this measure could do no harm, and it was very probable it might ultimately be productive of much good. It was therefore but proper it should be duly considered; and his right honourable Friend had given full time for that consideration; as all he wished now was, that the resolutions might pass now, that the bill might be printed, and read a second time only on this day se'nnight.

The resolutions were then read a second time, and agreed to; and bills were ordered to be brought in, pursuant to the same.

The committee on the Alien Bill was deferred till Thursday; and report on the Window Tax Bill till Wednesday.

The other Orders of the Day were then disposed of, and the House adjourned.

The Resolutions at large are as follow :

1. **RESOLVED**, That it is the opinion of this Committee, that the several and respective sums of money, charged by virtue of an Act of the present Session of Parliament, intituled "An Act for granting an aid to his Majesty, by a Land Tax, for the service of the year one thousand seven hundred and ninety-eight," on the respective counties and places in Great Britain, in respect of the premises, in the said Act mentioned, lying within the same counties and places respectively, to be raised, levied, and paid unto His Majesty within the space of one year, from the twenty-fifth day of March one thousand seven hundred and ninety-eight, shall, from and after the expiration of the said term, continue, and be raised, levied, and paid yearly to His Majesty, his heirs and Successors, from and after the twenty-fifth day of March in every year for ever; subject nevertheless to the rules, regulations, restrictions, and conditions of redemption, to be prescribed.

2. **RESOLVED**, That it is the opinion of this Committee, That it shall be lawful for Commissioners, to be appointed for that purpose, to contract and agree with all and every persons or person, bodies politic and corporate, having or holding any manors, messuages, or tenements, for the redemption of the land tax charged upon their respective manors, messuages, or tenements, according to the assessment and pound rate to be made in pursuance of the said Act; and that the consideration, to be given for such redemption, shall be so much capital stock of public annuities, transferable at the Bank of England, bearing an interest after the rate of three pounds per centum per annum, commonly called the three pounds per centum consolidated annuities, and, the three pounds per centum reduced annuities, as will yield an annuity or dividend, exceeding the amount of the land tax

so to be redeemed by one fifth part of thereof: Such capital stock to be transferred to the commissioners for the reduction of the national debt, within the period of five years from the time of entering into such contract, by four instalments in every year; *videlicet*: On the first day of May; the first day of August; the first day of November; and the first day of February in each year: The first instalment to be made on such of the said days as shall next ensue after the entering into such contract; but with liberty to any person to stipulate with the said commissioners, for the transfer of the whole of the said capital stock at one time, or at different times, within a less period than five years; so that the same be made by even instalments at equal intervals within the period agreed upon, and by not less than four instalments in each year of the said period.

3. **RESOLVED**, That it is the opinion of this committee, That all bodies, politic, corporate, or collegiate, corporations, aggregate or sole, and all guilds, mysteries, fraternities, or brotherhoods, and all trustees or feoffees in trust for charities or other public purposes, having any estate or interest in any such manors, messuages, or tenements, whatever may be their estate therein other than tenants at rack rent, and all committees of lunatics or idiots, and guardians of infants, and all executors and administrators, and all other trustees whatsoever, may contract with the said commissioners to be appointed for the said purposes; and that persons in the actual possession, or beneficially entitled to the rents and profits of any manors, messuages, or tenements (except tenants at rack rent) shall be preferred in the purchase of such land tax to persons in remainder, reversion, or expectancy, provided they offer to contract for the redemption of such land tax on or before a day to be specified; but that the persons in remainder, reversion, or expectancy, shall be entitled to redeem such land tax, in preference to any other persons having no estate or interest therein, according to the priority of such their respective estates or interests, and in the order in which they will be respectively entitled to succeed to the said manors, messuages, or tenements: And that in cases of demise at rack rent, the persons beneficially entitled to the rent reserved, shall (notwithstanding any covenant) be considered as being in the actual possession of such manors, messuages or tenements, for the purpose of claiming such benefit of preference, with power to add the amount of the land tax so purchased to the rent reserved, and to use the same powers for the recovery thereof, as for the recovery of rent in arrear: And that on the completion of any contract, by the person having such title to preference, or by any other on his behalf, and payment of the first instalment thereof, the manors, messuages, or tenements comprised in such contract, shall thenceforth be wholly freed and exonerated from the land tax

tax charged thereon, and from all farther assessments thereof, unless the person contracting for such land tax shall, at the time of entering into the contract for the same, declare his option to be considered on the same footing as a third person purchasing the land tax: And that upon every contract to be so entered into, upon which the transfer of stock shall be made by instalments, there shall be paid, at the time of making the second instalment upon such contract, and so of every subsequent instalment upon such contract, into the hands of the Cashier or Cashiers of the Governor and Company of the Bank of England (whose receipt shall be a sufficient discharge) to the use of his Majesty, his heirs and successors, a sum of money, by way of interest, to be computed from the period of the first instalment, equal to five sixth parts of the amount of what would have been the produce up to the time of making such payment of the whole of the stock to be transferred upon such contract, deducting therefrom the amount of the produce of such part of the stock as shall then have been transferred: And in every such case, the persons beneficially entitled to any estate in remainder, reversion, or expectancy, in the manors, messuages, or tenements, whereof such land tax shall have been so contracted for, shall, at any time or times after such estate shall vest in possession by reason of the determination of the next preceding estate or interest, be entitled unto an assignment of such contract, upon transferring to such original contractors the like amount of the three pounds per centum Bank annuities, as was transferred by such original contractors, as the consideration for the redemption of such land tax; or upon paying to such original contractors (at their option) such a sum as shall be of equal value therewith, at the time of such conveyance; and to the same option to be considered on the footing of a third person, with respect to such land tax as the person or persons first redeeming the same might have.

4. RESOLVED, That it is the opinion of this committee, that all bodies politic or corporate, and other persons being in the actual possession, or entitled beneficially to the rents and profits of any manors, messuages, or tenements, may sell any part or parts thereof for the purpose of redeeming or purchasing such land tax, or charge the said manors, messuages, or tenements with such sum or sums of money, as shall be sufficient to redeem or purchase the land tax charged thereon; and, for securing the repayment of such sum or sums of money, with interest, may convey, surrender, or demise the same by way of mortgage; or may grant, limit, or appoint any yearly sum or sums of money, by way of a perpetual rent charge, not exceeding the amount of the land tax charged upon the said manors, messuages, or tenements, to be issuing out of and charged upon such manors, messuages,

messuages, or tenements: And every such sale, conveyance, mortgage, or grant, of any rent charge, shall, after the same shall be duly enrolled, be good, valid and effectual in the law, to all intents, notwithstanding any defect of title in any of the parties thereto; and the respective persons to whom any such sale or mortgage shall be made, or any such rent charge shall be granted, shall respectively hold the manors, messuages, or tenements, or the said rent charges, freed and absolutely discharged from all former titles, charges, and incumbrances whatsoever: And that wherever there shall be any surplus, after paying so much as shall be sufficient for the purchase of three pounds per centum annuities, to be transferred as the consideration for such land tax, the said surplus shall be paid into or placed in the Bank of England, in the name and with the privy of the Accountant General of the Court of Chancery; to the intent that such surplus money may be invested, as soon as conveniently may be under the direction, and with the approbation of the said Court, in the purchase of other estates, to be conveyed to the like uses, and in the same manner as the same stood settled; and in the mean time such surplus to be invested in Government or other public securities, in the name of the said Accountant General, and the dividends and annual produce thereof shall from time to time belong to the person who would for the time being have been entitled to the rents and profits of the manors, messuages, or tenements purchased.

5. RESOLVED, That it is the opinion of this committee, That if, within a time to be named, no contract shall be entered into with the commissioners to be appointed for the redemption or purchase of the land tax, or any part or parcel thereof, charged in any parish or place, by any person entitled to the benefit of preference, or by any person substituted in that behalf, the commissioners may then put up to sale, either by public auction or otherwise, as the Commissioner of the Treasury for the time being shall direct, the whole or any part or parcel of the said land tax, charged in any county, or division of any county, or in any parish or place; or any specific share or shares thereof; or any land tax charged on any particular estate or estates, or any part or parcel thereof, which shall not be redeemed or purchased within the said period; and to contract and agree with any persons for the sale of the same, subject to a proviso for the redemption of such land tax at the time, and in the manner to be provided: And the manors, messuages, or tenements whereon the land tax purchased is charged, shall be subject to a new assessment from year to year, by an equal pound rate, according to the value thereof, in common with all other estates in the same parish, which shall remain chargeable to the land tax; and the consideration shall be the transfer of stock in the three pounds per centum annuities,
transferable

transferable at the Bank of England as aforesaid, of the like amount as is hereinbefore directed, unto the commissioner, appointed for the reduction of the national debt; to be made within the period of one year, from the time of entering into such contract, by four instalments, of not less than one fourth part of the whole amount of the stock to be so transferred as aforesaid, at intervals of three months from each other; the transfer of such stock for the first instalment to be made at the end of three months from the time of entering into such contract; but with liberty to contract and agree with the said commissioners to be appointed, to transfer the whole of the stock agreed to be transferred as the consideration for such redemption or purchase, at the time prescribed for the transfer of the first instalment thereof; or to transfer such stock in any greater proportions, and in any less number of instalments than are before prescribed, so as that such instalments shall not be made at a greater interval than three months from each other; and that such rate of interest shall be payable, as in the case of land tax redeemed by persons having a title to preference; and such persons shall be entitled to demand and receive, for their own use, the full amount of the Land Tax purchased by them, free of all charges and deductions whatever, at the respective times, and in the respective proportions at which the same shall be payable; which shall be redeemable by the person or persons respectively entitled to the benefit of preference in respect of their tenure in the said manors, messuages, or tenements, at the period to be limited for the redemption of the same.

6. **RESOLVED**, That it is the opinion of this committee, that the Receiver General of each county, riding, or place, where any such land tax shall remain chargeable as aforesaid, after the same shall have been purchased, not as a specific charge on any manors, messuages, or tenements, in such parish or place, or his deputy or deputies, shall, before such land tax shall have become due and payable, on the twentieth day of September for the half year ending on the twenty-ninth day of September, and on the sixteenth day of March for the half year ending on the twenty-fifth day of March, in every year, upon demand, pay or cause to be paid to the purchaser or purchasers thereof, or the heirs, executors, administrators, or assigns, of such purchaser or purchasers respectively, the full amount of the land tax so purchased, free of all charges and deductions whatever, without fee or reward, out of any public monies in his hands, in the manner to be provided: And that where any purchase shall be made of any land tax, as a specific charge on any manors, messuages, or tenements; or where any person entitled to preference, shall have made his option to be considered on the footing of a third person purchasing the land tax, and any abatement

ment shall afterwards take place in the sum so charged; the Receiver General, upon the production of the certificate of such abatement, pay the full amount thereof, free of all charges and deduction whatever, and without fee or reward, to such person or persons as aforesaid, in like manner, and out of such monies, and at such times of payment, as is directed for the payment of the whole of the land tax purchased; and that in default of such payment by the Receiver General or his deputy, the purchaser, or the heirs, executors, administrators, or assigns, of such purchaser, may cause notice of such default to be given to the occupier of the manors, messuages, or tenements, on which the land tax so purchased shall be charged; and such occupier shall be obliged to pay the same upon demand, unless he shall have previously paid the same for want of such notice to the collector of the parish, or unless the yearly value of the estate whereon such land tax shall have been charged (estimating such value by rack rents) and the highest improvements made thereof, shall be reduced, so that the estate shall be charged with a higher rate than four shillings in the pound on such value, in which case the occupier shall not be liable to the payment of any greater sum than after the rate of four shillings in the pound on such value; or unless the land tax charged shall, by any abatement thereof, be reduced to a sum less than the sum charged on the same manors, messuages, or tenements, at the time of the demand, with the like remedies for the recovery as landlords may by law have for the recovery of rent in arrear; and that, in case of any diminution of the sum to be paid to the purchaser of any land tax, by reason of any reduction in the value of the estate charged therewith, the purchaser shall have the option of continuing to receive a sum necessary to complete, in each year, the whole annual amount of the sum originally purchased by him; or to demand of and from the Commissioners for the Reduction of the National Debt, a transfer of so much capital Stock in the Three Pounds per Centum Bank Annuities, as shall yield an interest exceeding the amount of such abatement by one fifth part thereof.

7. **RESOLVED**, That it is the opinion of this committee, that the Receiver General of any county, where any Land Tax shall be purchased, not as a specific charge upon any particular manors, messuages, or tenements, in any parish or place, but a charge upon such parish or place at large, or upon such part thereof as shall continue chargeable, shall neglect to pay to the purchaser of any land tax, the full amount of the land tax so purchased, the purchaser may cause notice of such default to be given to the Collector of the said land tax, and of his intention to receive the land tax in future from such Collector; and on such notice, every such

such purchaser shall be entitled to receive the amount of such land tax from such Collector accordingly : or if such Receiver-General, where any land tax shall be purchased as a specific charge on any particular estate or estates, or where any land tax shall be redeemed by the person entitled to preference, who shall have made his option to be considered on the footing of a third person purchasing the land tax, and any abatement shall afterwards take place in the sums so charged, shall neglect to pay to the person entitled to such land tax the full amount of such abatement, such purchaser may cause the like notice to be given to the Collector, to entitle such purchaser to the land tax so purchased from such Collector in the manner before directed ; and that such Collector, on the production of the contract of purchase, shall from time to time pay, or cause to be paid to such purchaser, the full amount of the land tax purchased, free from all charges and deductions whatever, and without fee or reward, out of any monies in the hands of such Collector, arising from the produce of the land tax in such parish or place, unless such Collector shall, for want of such notice as aforesaid, have paid the whole of the land tax, charged in such parish or place to the Receiver-General of the county.

3. RESOLVED, That it is the opinion of this committee, that the land tax purchased shall not be subject to redemption until the period when the dividends arising from the purchases of Stock made by the Commissioners for the reduction of such part of the National Debt which existed previous to the commencement of the present war, shall, according to the true intent and meaning of the said Acts now in force, cease to accumulate, and be considered as redeemed and in the disposition of Parliament ; and that after that period, and at any time during three years then next ensuing, any person being in the possession of, or beneficially entitled to, any manors, messuages, or tenements, charged with any land tax which shall have been purchased, shall, in the order in which they shall be respectively entitled to the benefit of redeeming their land tax, according to the rate of preference for such redemption, be entitled to treat with the Commissioners to be appointed for the redemption of such land tax, or any part or parcel thereof, in such and the like manner, in all respects, as he might have done within the period to be first limited ; provided that notice in writing be given to the Receiver-General, specifying the amount of the land tax so redeemed, who shall cause notice thereof to be given to the original purchaser, his executors, administrators, or assigns : and all payments to such original purchaser, on account of such land tax, shall cease and determine from the end of the quarter of the year next ensuing such purchase

purchase : And that the Commissioners for the reduction of the National Debt, on application made to them by the original Purchaser, his heirs, executors, administrators, or assigns ; and on production to the said Commissioners of the original Contract of Purchase, and of the notice given to such purchaser, his heirs, executors, administrators, or assigns, by the Receiver-General of the redemption of such land tax, shall either transfer to him so much capital Stock in the Three Pounds per Centum Annuities, as shall have been transferred by such original Purchaser, his heirs, executors, administrators, or assigns, as the consideration for the purchase of such land tax ; or, at his option, so much money as the capital Stock so transferred was worth at the time of the first purchase : and such contract shall thereupon be determined and of no effect : and that whenever any land tax purchased shall be afterwards redeemed, the manors, messuages, or tenements comprized in such contract, shall be wholly freed and exonerated from the land tax charged thereon, and from all further assessments thereof.

9. **RESOLVED**, That it is the opinion of this committee, that the non-performance of any contract shall subject the party to a pecuniary penalty, not exceeding one twentieth part of the purchase money ; and that the Court of Exchequer, on the application of the person who shall have incurred such penalty, or any other person or persons who may be prejudiced thereby, by petition to be preferred in a summary way, may enlarge the time for making good any subsequent instalment or instalments, and grant such relief to the party or parties as the said Court shall seem meet.

10. **RESOLVED**, That it is the opinion of this committee, that if any assessment of land tax which shall continue to be charged, shall at any time be found to exceed the rate of four shillings in the pound on the annual value of the manors, messuages, or tenements, the same shall be subject to an abatement, in the manner in such cases directed by the Act of the present session of Parliament.

11. **RESOLVED**, That it is the opinion of this committee, That where any manors, messuages, or tenements, which now are rated together, and chargeable with the payment of one gross sum by way of land tax, shall be separated or divided, and come into the possession of different persons prior to the time when such manors, messuages, or tenements, shall be exonerated therefrom, then the Commissioners of Land Tax acting in and for the division wherein such land tax shall be charged, shall cause such land tax apportioned as between such persons respectively, according to

The order of the day on which their Lordships were summoned to hear a motion from Lord Grenville, to regulate the mode of proceeding in Naturalization Bills, was adjourned to Friday.—Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, April 18.

On the motion of Mr. Abbott, the order of the day for taking into consideration, on the next day, the Petitions against the Right of Election at Tewkesbury was read and discharged; and the said petitions were ordered to be taken into consideration on Thursday se'nnight.

Accounts were presented to the Customs of all ships entered inwards from Africa.

The accounts moved by Mr. Hobhouse, of the amount of the Imports and Exports were presented, and ordered to be printed.

Mr. *Mainwaring* presented a Petition from the Freeholders and Leaseholders of the parish of St. Clement Danes, against certain clauses in the Bill now pending in Parliament, for widening and improving the entrance into the city by Temple-bar, praying to be heard by their counsel in favour of their Petition. Ordered to be referred to the committee on the said Bill.

ASSESSED TAXES CONSOLIDATION BILL.

The order of the day was read for the further consideration of the Report of the Consolidated Assessed Tax Bill, when several Amendments were proposed and received. On the Clause being read for obliging Landlords to give security to the Collectors of the Taxes for the payment of the Duties in cases where the goods of the tenant were distrained for rent; it was warmly opposed by

Sir *William Pulteney*, as of an innovating and dangerous tendency, and as a general and sweeping clause that involved the innocent with the guilty.

The clause was also opposed by Mr. *Jolliffe* and Sir *Matthew W. Ridley*, as highly prejudicial to Landholders, by giving this decided preference to the Crown over the claims of every other creditor.

The *Chancellor of the Exchequer* supported the clause, and contended that there was nothing new in its tendency; that not the Crown, but rather the State, had always in this country,

try, and in every political society, a precedence in having its claims acknowledged and satisfied before those of any private individual.

After a few words from Mr. Long in support of the clause, the House divided,

<i>Ayes</i> (For the clause)	40
<i>Noes</i> - - - -	33

Majority 7

Mr. Jolliffe then moved, as an amendment to the clause, that "Nothing therein contained should extend to preventing landlords from distraining for rent, and recovering it as before by law:" this amendment was agreed to.

The Bill, with the amendments, was then ordered to be engrossed, and to be read a third time on Friday next, if then engrossed.

BUDGET.

The *Chancellor of the Exchequer* postponed the opening of the Budget till Wednesday next.

Mr. *Secretary Dundas* presented an account of all the military appointments that had taken place at Ceylon, Corfica, and the Cape of Good Hope.

Mr. *Tierney* said, he thought the papers did not convey an explicit and satisfactory account, as they purported to be only the accounts of the War Office.

Mr. *Dundas* said, he could promise nothing of a more satisfactory nature, as the only accounts that could be expected on this subject, could come from no other office than the War Office.

On the motion of Mr. *Tierney*, those papers were then ordered to be printed.

Mr. *Dundas* next gave notice, that it was his intention to make a motion for augmenting the number of officers of the militia, and also for regulating the mode of training Yeoman Cavalry.

LAND TAX COMMISSIONERS AT COVENTRY.

Mr. *Walberforce Bird* rose, pursuant to the notice he had given of submitting a motion to the House respecting the characters of the commissioners of the land tax, as far as they respected the city and county of Coventry; when that list was inspected, the House must feel that it was calculated to affix a most degrading and shameful stigma on the dignity of its proceedings; it was not necessary for him to enter into any

any detail of arguments to prove it; it would doubtless suffice to advert to the employments of the persons whose names graced the list. Mr. Bird then read the following statement of the Commissioners of the Land Tax for Coventry.

Common Day-laboures	28	Dealers in Dung	—	3
Journeyman Carpenters	6	Lamplighters	—	2
Journeyman Taylors	21	Turnpikeman	—	3
Journeyman Watchmakers, Dyers, Coopers, &c.	35	Servants to the Corporation		
Journeyman Weavers	335	Paupers receiving Parish relief	—	57
Coal Carriers	6	Bailiffs and Runners	—	7
Colliers	3	Jailors	—	2
Scavengers	4	Shoebblack	—	1
Watchmen	4	Herdsmen	—	2
Dealers in Dead Horseflesh and		Fidlers	—	2
Cat's meat	3	Idlots	—	2

This statement having been read, Mr. W. Bird concluded by moving, that additional Commissioners be appointed for executing the Act passed this year for levying the Land Tax as far as relates to the City of Coventry.

Sir M. White Ridley said, he was willing to agree to the propriety of the motion that had just been made; but it went to make an alteration in a law passed this Session, and this he conceived to be the difficulty that would prevent its being entertained for the present.

Mr. Harrison suggested the propriety of making a certain qualification necessary to those who were to be appointed Commissioners of the Land Tax; and as this would be a new matter, he did not imagine it would be liable to the objection that had just been stated by a Worthy Baronet.

Colonel Smollet acknowledged that he had inadvertently given in the list in question; and he thought that the persons named in it were as respectable as any who had been appointed Commissioners in former years.

Mr. Long was willing to confess that very improper persons had been permitted to creep into the list, which he felt to be disgraceful to the House; but there still remained a sufficient number fully qualified for executing the act. There was, therefore, in his mind, no necessity for any new measure.

The Master of the Rolls said, that the House was bound in honour to wipe away the disgrace which it incurred by sanctioning such a list, if it could any way be done consistent with

with the rules of Parliament. With regard to the Land Tax Bill that was passed, nothing new could be introduced; but, as the Collectors of the Assessed Taxes were also Commissioners of the Land Tax, he thought some new regulation might be adopted concerning them in some of the stages of the Assessed Tax Bill.

The *Speaker* observed, that there were several modes of obviating the difficulty; as far as it applied to the Assessed Tax Bill, there was a clause in that bill enabling Parliament to alter or amend it during the existing session; and there was also, respecting the Land Tax Bill, a similar reservation for amending it during the session. The House must surely feel that its honour was at stake in the question, and consequently there could be but one wish to avert, as far as possible, every abuse that could tend to degrade it.

After a few words in reply from Mr. Wilberforce Bird, the debate on this question was, on the motion of Mr. Ryder, adjourned till the next day.

The Report on the Free Ports Bill was further considered, and the Committee on the Tanners Bill was deferred till Wednesday next.

The other Orders of the Day were then disposed of, and the House adjourned.

HOUSE OF LORDS.

THURSDAY, April 19.

Their Lordships, in a Committee of Privileges, heard Mr. Richards, in support of the claim of the Marquis of Carmarthen to the Barony of Conyers.

The *Attorney General*, on behalf of the Crown, requested their Lordships to grant some longer time for the purpose of examining books of Peerage, to see what title the claimant had. The further hearing was accordingly put off till Friday se'nnight.

Some private bills were brought up from the Commons; and the bills on the table read through their stages.

Boddington's Divorce Bill was put off till the next day. Adjourned.

HOUSE OF COMMONS.

THURSDAY, April 19.

Sir William Scott moved the order of the day on the bill for declaring the validity of his Majesty's order in Council, and
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for allowing further time for making appeals in prize causes. The bill was read a third time, and passed.

Sir *William Lemon* moved for leave to bring in a bill for regulating the depasture upon certain commons and unclosed lands. Granted.

YEOMANRY CAVALRY AND SUPPLEMENTARY MILITIA.

Mr. *Secretary Dundas* rose to move, pursuant to notice, for leave to bring in a bill to regulate certain parts of the Yeomanry Cavalry and the Supplementary Militia. He stated that there was a certain number of Officers appointed in these corps by the recommendation of the Lords Lieutenants of the counties, and in case of deficiency, application was to be made to his Majesty, who was to give his directions for supplying such deficiency. One of the objects of the Bill which he intended, with the leave of the House, to introduce, was to give further power to the Lords Lieutenants of the counties to add an additional number of Officers to these corps: there were many Officers of the East India service in this country, who had come here either for a time, on furlough, or who had quitted that service altogether, whose experience rendered them fit for the service in these corps, and he intended that the Bill should contain a provision to enable his Majesty to avail himself of the services of such of these officers as might be willing to enter into these corps. Another provision in the bill regarded the state of those who formerly belonged to the Militia, and had entered into the regular service. By a late Act of Parliament his Majesty was enabled to avail himself of the services of those who chose to enter, out of the Militia, into the Regulars. In certain cases it appeared that many had so done before the passing of the Act, and that therefore they may now be reclaimed by the Militia because they entered before the provisions of that law enabled them so to do. It was considered by Government that these persons could not be more useful any where than where they are, and therefore the Bill provided that they shall not be reclaimed or removed. He therefore moved, that the Supplementary Militia Act be read, which having been done, he moved that leave be given to bring in a Bill for the better dividing the Supplementary Militia into regiments and battalions; for augmenting the number of Officers in the field, and for making other provision respecting the Supplementary Militia. Granted.

LAND TAX COMMISSIONERS, COVENTRY.

Mr. *Wilberforce Bird* moved the Order of the Day, which was for resuming a debate upon the subject of the appointment of Land Tax Commissioners for the city, and county of the city of Coventry.

The *Speaker* explained the rules of the House by which the regularity of the proceedings should be governed, as well as the effect of them in this case. He observed, also, that although improper persons had been inserted in the List of Commissioners for Coventry, yet that it was very satisfactory to the House, that not one of its Members had, in the least degree, misconducted himself in this case; and it must be owing to the lenity of the House, that those who had abused the confidence reposed in them, and to whom the care of making out the List was entrusted, if they did not feel the effect of the displeasure of the House.

Mr. *Wilberforce Bird* then moved, that leave be given to bring in a Bill to alter and amend the Land Tax Bill, as far as relates to the qualification of the Commissioners. Granted.

SALE OF THE LAND TAX.

The *Chancellor of the Exchequer* brought up a bill for making the Land Tax perpetual, subject to redemption and purchase under certain conditions, &c.

Read a first time, and ordered to be read a second time. Ordered to be printed on the motion of Sir W. Pulteney.

CONSOLIDATED ASSESSED TAX BILL.

The *Chancellor of the Exchequer* moved the Order of the Day, which was for the third reading of a Bill for repealing certain duties on Male Servants, Horses, Mules, Dogs, &c. and for granting other duties in lieu thereof, &c.

He then moved that this bill be now read a third time.

Sir W. Pulteney observed, that Gentlemen had not so fully entered into the detail of this Bill as it merited; this arose from the mistake of supposing it was like the other Bill in most of its provisions; but it was not so. It differed essentially; in the former bill, the officers of Government left with each person to pay the taxes a printed paper, to be filled up by such person, and to be called for again by such officer. Afterwards enquiry was made into the truth of the return, and if false, the party was surcharged, &c. By this bill nothing of this kind was done; it only referred to several other acts, and the

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householder had no information whatever to guide him. It would therefore be necessary, that each householder should, in order to avoid a penalty, have as good knowledge of Acts of Parliament, as a Gentleman at the Bar. He wished to know what the reason was for thus subjecting householders to this difficulty. He apprehended that it might materially diminish the amount of the Tax. He remembered something of this kind in the Plate Tax, and hardly any man in the kingdom gave in any list at all; the penalties of the Act could not be enforced, and the tax was utterly abandoned. The omission of the paper delivered under the former Act, seemed to be for the purpose of saving trouble to the collecting officer. There might be some persons who looked to nothing but the collection of the Revenue; but Bills of Revenue, as well as other bills, ought to be drawn to the satisfaction of that House, not for the convenience of the gatherers of taxes; and, therefore, he thought that this bill should be delayed for a day or two, to see whether any thing could be done to improve it. The good humour of the people of this country, in bearing all their taxes, was very much to be commended; and it was the particular duty of the House, to see that taxes should be collected in a way that was as little burthen some as possible.

Mr. *Rose* said, the honourable Baronet was mistaken in his conception of the Act, because the officers of Government were ordered by it to do exactly what they were bound to do under the former Act. The difference which led the honourable Baronet to the mistake was, that the officers whom he considered as officers of government, were only parochial officers. The new provision arose from there having been a scandalous and palpable evasion of the duty in various instances. Under the Cavalry Act, not one half of the horses that ought to have been returned were returned in several districts; and it was in consequence of these scandalous evasions that these provisions were made. As to the observations on the tax on plate, they did not apply to the present case, for there was no compulsion upon any individual to make the return; and the Legislature had never thought of any thing so harsh as subjecting it to the survey of the Excise; and the collection becoming impracticable, it was abandoned; but this plan was on the same principle as other taxes, of the collecting of which he had not yet heard any complaint.

Sir *W. Pulteney* was still of opinion that this Bill ought to be delayed a few days, and that it ought to be printed with
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the Amendments; and therefore he moved, that instead of "now," "this Bill be read a third time on Tuesday next."

The *Chancellor of the Exchequer* said, he would second the motion, to give the honourable Baronet an opportunity of examining the Bill a little more attentively, and then he would find there was no ground for his objection. He was desirous that every Member should look at the Bill. He was sure when the honourable Baronet had taken an opportunity of seeing and considering the amendments to the Bill made in the committee, he would not object to it so decidedly as he had that evening done. He wished every Member of that House to know what were the provisions, and understand fully the nature of every Bill that was brought forward; but he must say, that the honourable Baronet did not appear to him to have considered the present subject with his usual vigilance. The effect of the clause which had been the topic of discussion would be to simplify the mode of collection, and assist the officers of Government and of the parishes in a prompt and efficacious discharge of their duty. This the honourable Baronet often wished might be done. "I hope," concluded the Chancellor of the Exchequer, "the honourable Baronet will not in future be very forward to call Bills that have been framed in the spirit of genuine solicitude for the honour of the individual and the benefit of the revenue, vexatious restraints on the people, or capable only of provoking irritation in the public mind. These unguarded expressions, though arising from zeal for the general welfare, are considerably dangerous, and in endeavouring to promote the interests of the community, those who use them but excite false and vicious alarms, or a distrust in the honour and justice of Government. Perfectly to understand any measure men must closely apply themselves to the study of all its circumstances, and of its probable effects, as the safety or ease of individuals can only be promoted by strict impartial attention to those measures which must affect them; not by the hasty, warm, and incongruous expressions on a subject that has not been fully or candidly considered."

The motion being put, the third reading was postponed to Tuesday; and the Bill with the amendments, was ordered to be printed.

ALIEN BILL.

The *Solicitor General* moved the order of the day on the Alien Bill. The order being read, he moved that it be discharged. This he said, he did for the purpose of going into the committee of the whole House upon the Bill on Monday next.

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Mr. *Jones* said, that all he begged was to have a day fixed and stuck to for the discussion of the subject. He had shewn the learned Gentleman some clauses which he thought necessary. He then received some information on this subject. What had happened that day he foretold as likely to happen. He was one of those men who were upright and downright, and cared for nothing but the safety of their country. He had heard there were emigrants in this country who secreted arms. The fact was proved. He did not wish to trouble the House now upon the subject: the day was fixed and it should be stuck to.

The *Secretary at War* said, it was possible to be a little too hasty on the subject of these emigrants. Some persons confounded all foreigners with Frenchmen, and all Frenchmen with emigrants. He knew nothing of what had been hinted at, as having passed the preceding day, except what he had seen in the newspapers, and what he had heard from the Secretary of State. But, as to the person apprehended, his story might be true, and the great probability was, that he was not an emigrant. He wished to guard against a misconception upon this subject: by emigrants he should understand those who left France in consequence of the Revolution. To call all Frenchmen emigrants was erroneous. There were many here who came before the Revolution. There were many settled here as servants and hair-dressers, and in various low employments. It would be well, perhaps, if their occupations were known, in order that we should judge on whom suspicion should rationally fall. We should be careful, certainly, but we should not be too ready to entertain false apprehensions; because a due observance of this point was connected with the credit of the country.

Mr. *Jones* said, he meant to take the emigrants from January, 1793, and distinguish the good from the bad.

The *Solicitor General* said he had paid great attention to this question, and the observations of the preceding night required a considerable degree of attention. The object of the law ought to be, to give security to the country with as little oppression as possible to individuals. That required more attention than he had been hitherto enabled to give it, and the House would take care to do no injury either to the country or to individuals.

Committee upon the Bill postponed to Tuesday.

HOLIDAYS AT THE CUSTOM HOUSE.

On the question for the third reading of the Bill for abolishing

liffing certain holidays, and regulating certain attendances, &c. at the Custom House,

Mr. *Harrison* observed, that he had communicated to the Chancellor of the Exchequer a desire that there should be a clause in the Bill to give in a list at the beginning of every Session of Parliament of superannuated persons; to which the Minister assented, and promised to take care that such a provision should be made in the Bill; but the Bill was now about to be read a third time without that provision, and the Chancellor of the Exchequer was not in the House. Mr. *Harrison* therefore proposed the clause.

Mr. *Rose* assured the honourable Member, that the clause was omitted by mere inadvertence, but would thank him if he would not now press it, because he should have a stronger case to propose upon the same subject hereafter.

The clause, therefore, was withdrawn, and the further proceeding upon the Bill was adjourned until the next day.

The House in a Committee; the Chairman was directed to move the House, "that leave be given to bring in a Bill for continuing for a time to be limited, the Act of the 35th of his present Majesty, on the Herring Fishery."

The farther consideration of the Bill to prevent treating at elections, was deferred to Friday se'nnight.

Deferred the other orders of the day.—Adjourned.

HOUSE OF LORDS.

FRIDAY, *April 20.*

Boddington's divorce Bill was read a second time, after evidence had been heard to prove the adultery.

TWISLETON'S DIVORCE BILL.

Counsel were heard at the Bar on *Twisleton's* Divorce Bill. The marriage and subsequent adultery were proved, as also a deed of separation, bearing date the 17th of June, 1794, which, it was contended, was not attended with any circumstances of collusion, nor was it *contra bonos mores*, and consequently no bar to a divorce.

The Lord Chancellor desired to know if they were prepared to give evidence, touching the conduct of the parties, prior to the execution of the deed, and of the circumstances which led to the separation, as the House might be probably anxious for information on these points.

The Honourable Mr. *Twisleton* was then called, and being

ing duly sworn, stated, that his wife's extravagance had reduced him almost to poverty ; that his remonstrances only inflamed a temper, naturally bad, still more ; and that she at length told him she was determined to go upon the stage, where, she knew she possessed talents to support herself in affluence. This resolution of her's he strongly opposed, and declared, that if she persevered in it, he would not live with her. She, however, despised his authority, and went to Mr. Harris, the proprietor of Covent-garden theatre, to apply for an engagement without his knowledge, in consequence of which the deed was executed, since which he never cohabited, corresponded, or had any connection whatever with her, or even saw her he believed, except once passing through the streets in a carriage.

The *Duke of Norfolk* hoped, that some farther evidence would be required. The preamble of the Bill stated, that there was issue of the marriage, one child : it had appeared, however, that there was a second child. These children were within the possible line of succession to a Peerage ; and, therefore, he thought some evidence should be given of the time of their birth, to remove any doubt or suspicion that might be entertained of their legitimacy.

The *Lord Chancellor* submitted it to the noble Duke, to whom he gave full credit for the humane motive that induced him to suggest the necessity of going into evidence of the children's legitimacy, whether the adopting that idea would not defeat the very purpose his Grace aimed at ? It would not only raise, but serve to spread and confirm, a report highly injurious to the children, and which otherwise, was not very likely to be entertained hereafter. Neither could it be of any possible use, as no evidence to the point of legitimacy given at their Lordships, bar could be produced in any court of Law, any more than a voluntary affidavit sworn before a magistrate, which some persons foolishly imagined could be given in evidence. There was no question of the legitimacy of the children before the House ; if the noble Duke, therefore, chose to persist in his objection, the only way that could be resorted to, would be for his Grace to move to strike out such clauses in the Bill, when in the committee, as he should think improper, or unsupported by evidence. Notice was taken of Mr. Twissleton's child in the preamble of the Bill, and consequently any imputation of possible illegitimacy would wear away long before the child was likely to become a claimant for a Peerage, whereas the mode proposed of going into evidence upon that subject was rather calculated to raise and perpetuate a doubt or rumour upon it.

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The *Duke of Norfolk* said, he had not heard any argument strong enough to remove his conviction, that their Lordships ought to have the legitimacy of the children proved by evidence. If therefore the parties were not then prepared to produce witnesses to that point, though he did not mean to press the matter further for the present, yet if in the next stage of the business evidence was not brought forward to establish the legitimacy, he would certainly put a question, and take the sense of the House upon it.

The Bill was read a second time, and committed (at the Duke of Norfolk's desire) for Tuesday next.

HIS MAJESTY'S MESSAGE.

A message was brought down from his Majesty, of the same tenor as that to the House of Commons, which, being read, was as follows ;

GEORGE R.

His Majesty thinks it proper to acquaint the House of Lords, that from various advices received by his Majesty, it appears, that the preparations for the embarkation of troops and warlike stores are now carried on with considerable and increasing activity in the ports of France, Flanders, and Holland, with the avowed design of attempting the invasion of His Majesty's dominions ; and that in this design the enemy is encouraged by the correspondence and communication of traitorous and disaffected persons and societies of these kingdoms. His Majesty places the firmest reliance, under divine Providence, on the bravery of his fleets and armies, and on the zeal, public spirit, and unshaken courage of his faithful people, already manifested in the voluntary exertions of all ranks of His Majesty's subjects, for the general defence, and more than ever necessary at a moment when they are called upon to contend for the preservation of all that is dear to them.

His Majesty, in pursuance of the Act passed in the last Session of Parliament, for raising a provisional force of Cavalry, has thought it right to give directions, that the said Cavalry should be drawn out and embodied. And it is also His Majesty's intention to order the part not yet embodied of the Augmentation made to the Militia under the Acts of the last Session, to be forthwith drawn out and embodied, in pursuance of His Majesty's communication already made to the House of Commons on this subject.

His Majesty feels it incumbent on him to make the fullest use of the extensive means already provided by the wisdom of Parliament for the
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national defence. But he feels it, at the same time, under the circumstances which he has stated, indispensably necessary to recommend it to the House of Lords to consider, without delay, of such further measures as may enable his Majesty to defeat the wicked machinations of disaffected persons within these realms, and to guard against the designs of the enemy either abroad or at home.

G. R.

Lord Grenville rose and said, that the message so fully explained the points to which the attention of their Lordships was directed, and the conduct which they were called upon to adopt, in the circumstances to which it referred, was so obvious that he could add nothing to it, and he should say but a very few words in support of the Address of his Majesty, which he should have the honour to propose. The firm determination which their Lordships had expressed on former occasions, to stand or fall with the laws, the liberties, and the independence of the country, left no room to doubt that they would enter most cordially into every measure by which these great objects were to be secured. They were now called upon to give another pledge to the principles which they had professed. They were called upon to demonstrate, that their spirit and their energy rose with the danger to which they were exposed.

In proportion as the preparations of the enemy to invade the country advanced, in proportion as their designs of insatiable ambition and rancorous hostility were matured, they would find, in the Parliament and Councils of this country, new vigour to resist their attempts, and increased vigilance to defeat their machinations. They had openly avowed their inveterate animosity to this country, and expressed their determination not to rest satisfied but with the total overthrow of our Constitution, and the destruction of all our civil and religious establishments. In guarding against the open hostility of an enemy abroad, their Lordships would likewise extend their vigilance to check the hopes which they entertain from their abettors here. They would exert that vigour and that authority which belonged to them, to disappoint the expectations of assistance which they entertained from the co-operation of factious demagogues, and the exertion of their hirelings in this country. He should say nothing farther, therefore, in support of the Address. The measure which he meant to propose after the Address was disposed of, was one which their ancestors had often adopted in cases of far less urgency and danger than
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the present. He should therefore content himself with moving the Address.

The Address was an echo of the Message.

The question being put it was carried *nemine dissente*.

It was sent down by a message to the Commons, requesting their concurrence to it as a joint Address.

Lord Grenville then presented the Bill; he said it was precisely the same with those Bills which the House had passed on former occasions, except that it contained a clause in favour of those individuals already in custody, as it provides that the trials of persons against whom Bills of Indictment are found, should not be postponed by its operation.

The Bill was read a first time, and is entitled a "Bill to enable his Majesty to arrest and detain, for a limited time, such persons as he may suspect are conspiring against his person and government."

The Bill was read a second time and committed. The period of its duration was fixed for the first of February next. After having been engrossed, it was read a third time, and passed unanimously.

Upon the motion of Lord Grenville, several regulations respecting Alien Bills were agreed to.

The House adjourned till the next day.

HOUSE OF COMMONS.

FRIDAY, April 20.

Mr. Secretary Dundas brought up the two Bills which he had lately moved for leave to bring in; the one for augmenting the number of officers in the Military Corps; the other for the better training of the Yeomanry Cavalry. Both Bills were read a first time, and ordered to be read a second time on Monday next.

A motion was also made for having them printed, which was agreed to.

The Herring Fishery Bill was read a first time, and ordered to be read a second time on Monday.

The adjourned debate, on the third reading of the Consolidated Assessed Tax Bill, was further adjourned till Tuesday next.

General Walpole, at the request of Mr. Secretary Dundas,
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deferred his Motion respecting the Maroons until Tuesday se'nnight.

Mr. *Secretary Dundas* then brought up a Message from His Majesty, the same in effect as that delivered in the House of Lords.

As soon as the message had been read from the chair,

Mr. *Secretary Dundas* rose and moved, that an humble Address be presented to his Majesty, humbly thanking him for his most gracious communication; and assuring his Majesty that the House would proceed without delay to a consideration of the important matter it contained: and that they would bestow on it all the attention which business of such serious moment so naturally required. He was not disposed to think, that at a moment like the present, the Address he had to propose would meet with a single dissenting voice.

Mr. Dundas then read the Address, which was, as usual, an echo of the Message.

The *Chancellor of the Exchequer* seconded the motion.

Mr. *Sheridan* then rose and said, I believe it impossible, Sir, for any man who views the present situation of the country and who views it in the same light as I do, to imagine that I now rise to oppose, in any manner or shape, the Address that has been just proposed to the House. Had I been present on a former occasion, when a Bill for the better defence of the country was brought in by the right honourable Secretary (Mr. Dundas) I most certainly would have given it my most cordial and zealous support; and in thus giving it all the countenance that I could lend to any measure, I would not consider the House as conferring any new or extraordinary power upon the Crown, or any more that is already vested by law in the Royal Prerogative.

We all know, that in cases of great and alarming emergency, his Majesty is armed with the power of calling forth all the strength and energy of his subjects, and if in any ordinary riot and confusion, a constable may call for assistance from every one around him, can it properly be supposed, that on an occasion of extreme and general peril, his Majesty would be contended to be a mere looker on? and when his Majesty feels it necessary thus to arouse and exert all the strength and resources of his kingdoms, however we may co-operate—whatever service we may afford on such an occasion, we only fulfil that duty which, by the oath of allegiance, we are bound to perform. But however penetrated the country may be with the sense of the danger that awaits us, how-

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ever ardent the spirit that now begins to arise, yet I cannot but breathe a wish, that something were superadded by the House to kindle the zeal and animate the courage of the people; without which, I fear, neither can be warmed to that glow and ardour to which they should be raised on so trying an occasion—for it is no ordinary occasion, Sir; the dangers that threaten us are of no ordinary magnitude; it is, therefore, no common spirit that can embolden us to encounter them. I rejoice most sincerely, indeed, to see this spirit now begin to arise; but while I thus rejoice at beholding its first bursts, yet that joy is damped by observing the too general prevalence of a certain degree of supineness, a certain tardiness and hesitation to act, which I hope the cheering voice of the House will rouse and stimulate, or which its own activity will supply. That any such tardiness or hesitation should prevail, must be surely matter of no small surprise—does not the coming danger threaten us all? Are we not all interested in the issue of the event? Yet, as far as I can hear and observe, there are many who make this threatened invasion a mere topic of conversation, or idle discussion; they seem to treat it as a subject of amusement or curiosity, and appear eager for its arrival, as if they were to gaze on it as on some strange phenomenon, or as if they were to enjoy it as a mere show, not tremble at it as a real peril. Far, however, be it from me to suppose that this doubtful disposition, this absence of manly alacrity, proceeds from any such motive as disaffection, or from any sullen and ill-timed resentment of the wrongs and sufferings which the people may feel (and in my opinion very justly) against his Majesty's Ministers; to whom, perhaps, they may as justly attribute them; but that want of spirit and alacrity which I lament, is occasioned by a sort of supineness, and a reluctance to believe the real danger of their situation, to which, therefore, they are not duly alive. An evident symptom of this supineness, and disbelief of the perils that hang over us, appears in the slow progress of Voluntary Contributions; to this measure I have professed, and still profess, myself a friend—and the House will be pleased to recollect, that such were the sentiments I expressed when I had the honour of making a motion for suspending the passing of the Assessed Tax Bill. At that time I recommended the adoption of a measure similar to the voluntary contribution, and I recommended it as a temporary substitute for the Assessed Tax Bill: and that principally, because it could not fail to afford an opportunity of our giving some practical pledge, some striking and unequivocal

cel proof, that on one point, at least, we were all unanimous, to leave room for this manifestation of our unanimity, I then moved that the Assessed Tax Bill might be suspended for one month; my motion, as usual, was unsuccessful; but sincerely sorry do I feel, that a learned Friend of mine, who voted with me on that occasion, and who took a share in the debate, should, since, have reviled the measure of Voluntary Contribution, as a miserable expedient, a mere feeding round a begging-box. He surely cannot have imagined, that when I endeavoured to suspend the Assessed Tax Bill for one month, I was not equally sincere in my wishes to try the effect of a voluntary contribution, which I before recommended. What opinion could he, or the House, or myself, entertain of my consistency, if, after failing in my first object, I should immediately turn short, and join with them in relating the very measure I before approved, and breaking it as begging-box business, which, however, I had confessed myself anxious to try as the best mode, in my opinion, of obtaining a practical pledge of our unanimity, in providing every means of resistance to the insolent menaces and attempt of the enemy. Had I been in the House at the time the measure I proposed had been thus reviled, it would have grieved me to have heard it stigmatized in such language; indeed I could have scarcely remain silent and permitted it to pass unproved. Nor, when I hinted at the propriety of first trying a voluntary contribution, was it merely the money it might produce I had in view; it was the disposition and sentiments that should prompt and promote it, to which I was anxious to attend. I am likewise sorry that there are many names, which I do not yet behold in the list of the Voluntary Contribution; but while I express this my regret, at its not having obtained their countenance and encouragement, I by no means think it should be inferred, that those who have not as yet subscribed, are less disposed than those who have, to concur in the preparation of those vigorous measures of defence, when they clearly see and fully feel their necessity; as to their apparent apathy, I do not feel the slightest apprehension. They only expect some more adequate cause for alarm, some more thorough conviction that the danger is at hand. For confident I am, that as soon as one drop of English blood shall be shed by a Frenchman on English ground, the English valour will that moment rise to a pitch equal to what its most sanguine friends can expect, or its warmest admirers can desire; it will then

then doubtless nerve our arms with a force which no impression from the enemy can withstand.

But although this extreme danger may be still more distant and out of sight, we should not therefore be unprepared to meet it, or lulled into a fatal insensibility to all the dreadful calamities it will bring upon us. Of these calamities we do not seem to entertain a due sense of dread and horror; but without retracting any one principle which I ever held or uttered, concerning the French Republic, I am free to say, and am convinced of the truth of what I assert, that at no period of our history were we ever menaced with such a fate, nor at no period of either the French Monarchy or French Republic, had we more to dread from France than we have at the present moment; for should the French now succeed in their projected invasion, our ruin would be dire and irretrievable indeed. I do not, I say, retract the sentiments with which, while I deplored the scenes of blood that stained its glorious efforts to be free, I rejoiced at the establishment of the French Republic. But, when I rejoiced at its establishment, and the downfall of despotic Monarchy, I rejoiced at seeing it regain a due degree of freedom, and a due degree of strength. I by no means rejoiced at the enormous strength which it is now able to wield; a strength which crushes under it the whole of the continental powers, and which has grown gigantic from the efforts by which the alien powers exerted to oppress its infant liberty. It is from this increased strength of France, that England has more to dread than from the arms of any other nation; and were France now again monarchical instead of Republican, we should equally have to watch and to dread its ambitious encroachments, and its formidable attacks; for, fully am I convinced, that were the unfortunate Louis XVIII. to be now suddenly recalled by an almost unanimous wish of the French people, were that unhappy Prince to be unexpectedly restored, and that in a manner as unexpected as was our Charles the II. were he, after being reenthroned, to recall all his emigrant Nobility, who have suffered most cruelly from the French Revolution, convinced, I say, am I, that France would not abate one atom of her ambition, nor would she attempt less, but grasp at more than she has lately acquired and achieved; she would not remain satisfied with the Rhine for her barrier, with Holland and Italy for her vassals, with the addition of all the low countries, and a domineering influence over the councils of Spain; she would still remain restless and unsatisfied,

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until she had wrested from Great Britain the sovereignty of the seas. While I thus express my jealousy, and dread of French ambition, I by no means depart from any thing, I formerly advanced about the French Republic; nor am I now more disposed than heretofore to have recourse to language of contumely and invective which has unfortunately been but too much indulged in by certain Gentlemen in this House, and which has lately disgraced the preamble to a bill. To make use of such language was surely neither politic nor wise; could any thing be more unbecoming and undignified than the coarse expressions used in the Sister Kingdom by persons in high authority? I hope, therefore, we shall no longer hear of a monster Hoche, or of this or than russian General; and I would beg leave not only to advise Government to be more temperate and decorous in their language when speaking of French people and their commanders, but I would moreover wish they would pay them a sincere and solid compliment; this sincere and solid compliment I would pay them, by saying and shewing that we omit no human preparations which the heart and head of man can contrive and execute. This is the manner in which I would meet them; and if we thus stand provided with every thing that spirit and prudence can inspire and suggest, though it may be impossible for us to pronounce that they shall not subdue us, we may at least convince them that we are not to be despised.

If then they are to attempt to invade us, they will, no doubt, come furnished with flaming manifestoes. The Directory may instruct their Generals to make the fairest professions of how their army is to act, but of these professions surely not one can be believed. Some, however, may deceive themselves supposing that the great Buonaparte (for he, we understand, is to be their General); that the victorious Buonaparte, I say, will have concerted with the Directory, that he is not to tarnish his laurels, or sully his glory, by permitting his army to plunder our banks, to ruin our commerce, to enslave our people; but that he is come like a minister of grace, with no other purpose than to give peace to the cottager, to restore citizens to their rights, to establish real freedom, and a liberal and humane government. This undoubtedly were noble; this was generous; this, I had almost said, was Godlike!—But can there be supposed an Englishman so stupid so besotted, so befooled, as to give a moment's credit to such ridiculous professions? Not that I deny but that a great re-
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themselves enjoy in France. Were they to leave us the trial by jury uninterrupted, and thus grant us a constitution more enviable than that in France, would not this be rearing a constitution in this country which would stand a glaring contrast to their own, a living and lasting reproach on their conduct towards their own country? Were such to be their conduct here, I will only say they must be madmen. Thus far have we viewed them with regard to the wisdom of their policy, let us now inspect the nature of their enmity. And here again I feel disinclined to enter on this subject with harshness or asperity; and I have only to regret that the French nation have both generally and individually been too frequently treated with scornful and ignominious language in this House. On the impropriety and impolicy of such coarse treatment I will not now be tempted to animadvert, neither will I stop to consider who has been the aggressor in the commencement of hostilities, or who was or was not sincere in attempts at pacification. What I regret is, that the more they have been abused, the more rancorous must be their resentment, and as to their intending to exhaust upon us the full extent of their vengeance, in that intention I give them credit for being sincere.

The next consideration, therefore, which naturally occurs is, how to ensure a successful resistance to an enemy of this temper and disposition. I will not here require of government to lay aside their political prejudices or animosities; neither will I require of those who oppose them to altogether suspend theirs—but both must feel that this sacrifice is necessary, at least on one point, resistance to the enemy; and upon this subject at least I must entreat them to accord, for here it is necessary they should both act with one heart, and one hand—if there be any who say we will oppose the French, when we have succeeded in removing the present Ministers, to them I would say, Sir, let us defer that for a moment; let us now oppose the enemy, and avert the storm, otherwise we shall not long have even ministers to combat and remove. If there are any who say, that ministers having brought on us all our present calamities, they ought, therefore, to be first removed, I will grant them that there is logic and justice in the argument; but for its policy I am at a loss to discover it. There are those also, who think the present ministers incapable, and that they ought, therefore, to be removed. Granted; but if they cannot succeed in removing them, and if they be sincere in their opinion of the incapacity of ministers,

sters, how can they approve themselves sincere in their wish to resist the enemy, unless they contribute to aid and rectify the incapacity they complain of. Indeed, there are some Gentlemen who seemed determined to divide their enmity and opposition between the Ministers and the French, but must they not see, that the inevitable consequence of this division must be the conquest of the country by the French? And why do they thus hesitate about the side of the question they are to take?—Can there be any thing more childish than to say, I will wait until the enemy has landed; and then I will resist them, as if preparation was not an essential part of effectual resistance. What more childish and ridiculous than to say, I will take a pistol and fire at them; but I will not go the length of a musket. No, I will attack them with my left, but I will not exert my right hand against them; all must unite, all must go every length against them, or there are no hopes; and already I say, I rejoice to see the necessary spirit begin to rise throughout the country and the metropolis; and when on this side of the House, we manifest this spirit, and forget all other motives to action, I trust the same sentiments will prevail on the other; and that the offers we make sincerely, will there be accepted as unreluctantly. But now, I must observe, that the defence of the country might be essentially contributed to, by two very different classes of men. The one composed of those sturdy hulking fellows, whom we daily see behind coaches, or following through the streets and squares, their masters and mistresses who may be ruminating, in the mean time on the evils of an invasion; to those I would entrust the defence of the capital, and would add to them the able bodied men which the different offices, such for example, as the fire offices might easily produce. His Majesty would be thus enabled to employ his more disciplined troops in a distant or more necessary service. There is another class I would also beg leave to allude to; and those are young gentlemen of high rank, who are daily mounted on horses of high blood. They surely at this perilous moment might be better employed than in foraging in fruit shops, in blockading Bond-street and Piccadilly, or in taking the field in Rotten Row; it would ill become me to erect myself into a rigid censor of amusement and dissipation. That line of argument would not exactly suit my own line of conduct, nor am I an enemy to their amusements—on the contrary—but their mornings

might now be more usefully employed—they ought to be preparing for the task they may have to perform, for sure I am they possess a spirit that will not permit them to skulk and hide from the storm: they will never be seen a miserable train of emigrants wandering in a foreign land.

But, amidst all these warlike preparations, the idea of peace should not be forgotten; nor would I have that precious object remain unaccomplished merely for a difference about some trifling points—for my part, I feel a more eager desire for peace than ever; for I by no means distrust the intrepidity and courage of my country. The death I fear is must die, is not a death from arms, but from the extent of the burthens under which it groans. But should our resources begin to fail or even be exhausted, we should not for that be disheartened and despair; we should still retain the heart of a nation, and shew the enemy we can be as desperate as they are; that we can rob, plunder, ravage, and destroy, as effectually as they have done. Yes, I must repeat it, the real fire and sword that must ravage this fair land, are the pen and power of the right honourable Gentleman. His eloquence and influence will prove our bane; we should also beware of too proud a confidence in our strength. This strength must continually waste as our burthens continue to multiply, and multiply they must in proportion to our exigencies. But, however desirous I may be for peace, in order to avoid this pressure of taxes, I must warn the right honourable Gentleman that he must not think of treating for peace if the French should land. That last of humiliations would break indeed the spirit of the country; it would break the heart of our navy. With this opinion I am glad the right honourable Gentleman seems impressed (Mr. Pitt had nodded assent), but, if I am to speak out, I have also to tell him that the want of confidence in public men has of late more enfeebled the nation than any other cause; and this want of confidence has principally arisen from the secession of certain Gentlemen, who have deserted the Whig party in order to creep into place, that they might better serve the cause of religion, morality, &c. as they would have it believed, but whose real motive was their anxiety to participate of place and power; on them it is incumbent to repair the injury they have done to the public spirit, not only by co-operating in the general efforts for resistance, but in a more liberal and extensive sacrifice of the emoluments they enjoy, and which they were so eager to secure while they had nothing in their mouths but morality

morality and civil order. As to any more conditions, I shall never think of them with patience; they have done nothing but mischief; and, in my mind, much more than any party hostilities can produce: the country feels it; and justly abhors them; and indeed it has been the misfortune of the country to have long been led by parties, and to look to this or that man as a head and a guide. I do not deny the importance and abilities of the right honourable Gentleman (Mr. Pitt), neither surely am I insensible of the manly soul and mighty mind of my right honourable Friend (Mr. Fox). But in a country of more than eight millions of inhabitants, and those of ardent hearts and enlightened understandings, if I am told there can be found but two men who can save it, I have only to say that such a country is not worth saving, and must be destroyed. But, thank heaven, there is no such dearth amongst us of wise and able men, of men willing and prepared to save the country, in a crisis like the present: let Englishmen but look to and rely upon themselves. Their heart and spirit will then return, and arm but their hands, and then you will see if the British nation will tamely submit to be hussel'd out of its independence. Even were we all banished out of the country, there would still remain a sufficient number of men to conduct its affairs, and preserve its glories, without expecting its salvation at the hands of the right honourable Gentleman, Mr. Pitt, or, my right honourable Friend, Mr. Fox; or even from a noble Lord in the other House, who has lately created so much expectation.

I am ashamed to say any thing concerning myself, although it should be a very few words. I am sorry also, it is hardly possible for any man to speak in this House and to obtain credit for speaking from a principle of public spirit; that no man can oppose a minister without being accused of faction, and none, who usually opposed, can support a minister, or lend him assistance in any thing, without being accused of doing so from interested motives. I am not such a coxcomb as to say, that it is of much importance what part I may take; or that it is essential that I should divide a little popularity, or some emolument with the ministers of the crown; nor am I so vain as to imagine, that my services might be solicited. Certainly they have not. That might have arisen from want of importance in myself; or from others that I have been in the general habit of opposing, conceiving that I was not likely either to give up my general

sentiments, or my personal attachments; however that may be, certain it is, they never have made any attempt to apply to me for my assistance. I think it right to declare, however, that my political enmity (private, I have none) is irreconcilable to his Majesty's present Ministers; and my attachment to my right honourable Friend, and to his political principles, is unaltered and unalterable; that my eager desire to procure a reform in Parliament, as well as a reform of a multiplicity of abuses, to procure, if possible, indemnity for the past, and security against future abuses, is undiminished. These are points to which I have long since and often pledged myself. These are pledges which I shall never abandon. Let the world think of me what it pleases; I am conscious of the integrity of my principles: I feel a pride in avowing them; and I should be the meanest and most base of mankind if I preferred some party principle, or some personal motive, either on account of myself or others, that might induce me to abandon my public sentiments. I will do all I can against the efforts of our foreign enemy. I say you have a right to call on all descriptions of men to do the same thing. Some distinction, however, ought to be made. There are many who have made fortunes by contracts and by various species of Court favour and connections. There are others who lend the state most important and honourable assistance. What is bounty in the one would be nothing but gratitude in the other, in coming forward to support the public cause at the present crisis. I call on those who have so long profited by Court connections: I call on the personal friends of the Minister to come forward and assist the state at this trying moment. I call on those also who have been, on former occasions, loud for reform. I call on those who feel themselves pledged to bring the minister to account for his actions, to shew that they are the real friends of their country in the hour of peril.

They all know what I mean by this; I need not tell them, that every measure which invigorates the spirit of the people, and strengthens the crown, to resist the ambition of the enemy, and to relieve us from our present perilous condition, has my cordial support, and ought to receive theirs.

Having said this, I ought also to say a few words on a subject which I have heard within a few moments; I mean that of an intention to take away one of the most valuable of the rights of the subject. That part of the Address which I like the least, is that which relates to a supposed correspondence

dence between our foreign enemy, and those who are alledged to be our domestic traitors. If there be such traitors among us, let the law pronounce upon them; but ministers must not expect inconsistencies from me, I cannot give my assent to an assertion of the existence of such a correspondence, or such a society of traitors without proof. I say this the more readily on remembering, that formerly I denied the existence of a plot which the minister alledged did exist, and the verdict of a jury afterwards negatived that conspiracy, and consequently supported what I said upon that subject. What plots there are, or whether there be any, I do not know; but before I hear evidence, I cannot give an unqualified assistance to that part of the Address. The minister must know better than I can pretend to do, whether any such plots exist or not; but he will pardon me if I decline to take his word for their existence. That ministers should take this step, I own appears to me alarming. It casts a kind of suspicion all over the country, and which, in my opinion, will operate as a check upon the otherwise rising spirit of the people. Gentlemen will easily understand what I allude to; but ministers will excuse me; they cannot have any support from me upon this subject, I mean the suspension of the *Habeas Corpus* Act. On a former occasion I opposed that suspension; and now, there is less evidence to support the necessity of it than then. If called upon to assent to that suspension, they must allow me to pause; for it is much too difficult for me to assent to such a measure without much better evidence than I have yet seen.

Another point is one of great importance, but on which I shall utter only a single sentence: It is the state of Ireland. I mean on some future day to bring forward a discussion of that subject. I only mention it now, for the sake of observing that that part of the British empire which was once one of the sinews of its strength is now, alas! become a part of its weakness. The cause of that unhappy change I do not now pretend to explain, but let not governors ever flatter themselves that they ever at any time, under any circumstances, lost the affection of the hearts of the people without some mis-rule on their parts. Upon that subject I do not pretend to say any thing decisive now; but I have thus introduced it, for the purpose of giving notice that I intend to enter hereafter upon its discussion.

The *Chancellor of the Exchequer* said.—Being so well satisfied with certain parts of the speech of the honourable Gentleman who

who has just spoken; admiring, as I do, in common with the rest of the House, the energy, the vigour, the manifested eloquence which were displayed in that speech, I should be extremely unwilling to take notice of other parts of it in which we differ; but I beg it to be understood it is because I do think unanimity valuable upon the present occasion, and at this moment, in this House, that I shall abstain from comments upon parts of that speech to which I cannot assent. I had much rather express satisfaction at the present opinion of the honourable Gentleman, from whatever ground it has arisen, that his opinion has been changed with respect to the conduct which this country ought to observe with regard to France; I am glad that he now at least agrees with us in the necessity of resisting the arms of France; and in calling on every man to join in that resistance—I say, I had rather do so than enter into the discussion of other points in which I differ from that honourable Gentleman. I will not suffer myself to follow him over many of the various topics which he introduced to-night. The merit of his disinterestedness I do not mean to detract from, because he has candidly stated; that while he gives his assistance to us in the present crisis, he does not approve of any part of our conduct which he has formerly censured. I therefore receive his aid now, as I am confident he intended it to be received, as a testimony of his public spirit. I am more convinced now than ever that that which now animates the zeal, calls forth the ardour, and occasions the display of the eloquence of that honourable Gentleman, is owing to the conduct of France; that which now produces unanimity in this House and in this country is nothing more than a display of those principles, a development of that character, which belonged originally to the French revolution; an event which for a while unfortunately had the countenance of that honourable Gentleman; but which was then resisted by the nation at large; a resistance which, if not made earlier than the period of the honourable Gentleman's conviction of its propriety, would have been too late, and even unanimity itself would have been useless, and the honourable Gentleman would have been left without a place for the display of his abilities in this House. I must also say, that although I do not wish to detract from his talents, that although I admire his eloquence and revere the wisdom of some part of his conduct this night; although I rejoice in the unanimity which we are likely to have upon this occasion, yet it is not to the wisdom, or to the splendid display

display of talents, or to the animated zeal of an individual, that we are to look for safety; it can only be considered as giving aid to the efforts of millions acting under the clearest necessity. That honourable Gentleman, therefore, will not think I should depreciate him, or any other individual, if I said, it was adding but little to the efforts of a nation nearly unanimous before; a nation which did not want that honourable Gentleman to tell them, they are contending for liberty, for order, for property, for honour, for law, for religion, and even for existence. They would have been happy to have had him contending with them from the commencement of this contest; they would, however, have been able to have gone on without him. While I say this, let me give that Gentleman the praise and thanks that are due to him for setting the example he has done; for, be it recollected, he has set an example of unanimity in this House for opposing the common enemy; let us allow the credit that is due to him: but let us not do such injustice to the zeal and the energy of the country as to doubt, that England was as secure before this unanimity as it is now, and as I trust it will be after it.

On the subject of Ireland, the honourable Gentleman says, he will make a motion on some future day. I will venture to say, that when that subject comes to be discussed, if Ireland forms now part of the weakness, instead of the strength, of the British empire, it is because those very French principles, the fatal influence of which that honourable Gentleman has stated to-night, in a strain of energy and captivating eloquence which I will not weaken by attempting to repeat his words; it is owing, I say, to those French principles which found their way into that kingdom, where the arts of deception, from various causes, are more easily practised, and are more successful than in this. I will therefore say, that with every desire, with every wish, to see adopted, a system of conciliation with Ireland, when that may be practicable, I must tell him, that if he means, by a peace with Ireland, peace with those who are devoted to the French, I think that would be as mean a capitulation as that which he described with respect to our submitting to a foreign yoke. I say, you may as well expect peace with a French army at the gates of London, as peace with the Jacobins in Ireland.

If I doubted any thing on the subject of French ambition, which was introduced, by that honourable Gentleman, it was upon the reserve which he made for treating with the French after an invasion. I know no situation which can justify

justify a nation of freemen under any circumstances, in making a treaty of capitulation, or surrender of liberty and independence to the mercy of the enemy; and it is a sentiment in the heart of every Englishman; a law beyond any statute which could make it high treason for this country to treat with France, while a single regiment of French forces remained in England. I must apply the same feelings and the same sentiments with regard to Ireland.

And now, as to the only other point, which I intend to notice in the speech of the honourable Gentleman; I mean the state of a conspiracy in this country; he has said, that much might be known to Government which is not known to him. I know that much is known to Government which cannot be known to him upon that subject. I know that the country at large knows, that there is a body of men, too considerable in number and activity for Government to pass by them unnoticed; men who are going on with the daring purpose of correspondence with the French, for establishing a system of republicanism in this country, under the auspices of a foreign force. This is supported by the conduct of our enemies; we can see nothing of the proceedings of our enemies; we can see none of the speeches of their Leaders; in which it is not attempted to animate the French people to invade this country; no temptation to make their armies embark; no endeavour to prevail upon their feebly marine to try their feeble efforts, that is not followed up with the hope of success, by the co-operation of traitors in this country. I think, therefore, I may venture to say, that when the Crown does state by a Message, that the information is received of the existence of such a delign, we ought to be prepared in the best manner possible.

When we know that the enemy are forming a plan to invade this country; when we know that in former times, on such communications from the Throne, our ancestors, without investigation, had recourse to the measure of enabling his Majesty to secure and detain those who are suspected of conspiring against his Government. I say, we should be wanting to ourselves, if we hesitate in adopting the measure to which the honourable Gentleman alluded, seemingly with a dislike, in one part of his speech, but which I hope this House will give effect to before we separate this night. It was my intention to have moved for that law immediately after disposing of the Address; but that having suggested itself elsewhere, we may be enabled to give it the force of law more speedily.

Speedily. I hope the interval will not be a great many minutes before we see that measure has received the sanction of another House of Legislature. It is a measure that becomes necessary on grounds intimately connected with the subject now before us. I am very glad there is now no difference of opinion upon the main question; the union of this House is very desirable upon this point; and therefore, although I may protest against some of the doctrines of the honourable Gentleman who spoke last, I am unwilling to dwell upon the points on which we differ, because I am unwilling to disturb their unanimity.

The motion was then put and carried *unm. can.*

A message from the Lords informed the House, that their Lordships desired it to continue sitting some time longer; which was agreed to, and an answer sent to the Lords accordingly.

The *Solicitor General* then moved for leave to bring in a Bill, for the preventing, during the war, the sending any property, &c. (with the same provisions as in the case of Holland) to Switzerland, or to any persons acting under the authority of the persons exercising the powers of Government therein; or to transfer any stock, &c. without the license of his Majesty, under the hand of the Secretary of State, &c.—
Granted.

SUSPENSION OF THE HABEAS CORPUS ACT.

A message from the Lords informed the House, that their Lordships had passed a Bill, intituled “an Act to empower his Majesty to secure and detain such persons as he may suspect to be conspiring against his Person and Government.”

Mr. *Secretary Dundas* moved that this Bill be now read a first time.

Mr. *Sheridan* said, he was so tenacious of the liberty of the subject, and so unwilling to assent to any infringement upon it, that he could not assent to this measure; without much stronger proofs of its necessity than any which had yet been given. The right honourable Gentleman who had taken notice of his speech that night, had treated it as if it were the first time he had spoken against the French invasion. The right honourable Gentleman forgot, that he had spoken as strongly upon that subject on every other occasion when it became necessary to take notice of it. This he stated in passing merely to shew that the right honourable Gentleman had misconceived his sentiments upon that subject, when he treated them as novel in the person who delivered them.

It might be said, that there are persons now under trial; and that, therefore, to produce specific evidence in support of the necessity of the Bill now before the House, would be doing that which might operate to the prejudice of such accused persons. To this he would answer, that the very passing such a Bill as this, was, in truth, creating the greatest alarm, and raising the highest prejudices. Indeed there was not before the House at present, so plausible a ground for suspending the *Habeas Corpus* Act, as there was when it was last suspended. Then a committee of each House of Parliament sat for several days, examined into the subject, and declared their opinion to be, that there existed in this country a conspiracy against its Constitution and Government. The Minister then brought forward, what he contended to be, a full proof of the existence of such conspiracy. It was then doubted, whether in reality there was such a conspiracy or not; such, however, was the evidence, and the Legislature acted upon it. Here there was no evidence; on the contrary, the assurances of the Chancellor of the Exchequer tended to shew, that there exists, at this moment, in this country, a general spirit of loyalty and attachment to the Government. He should therefore have considered such a statement from the Minister rather as evidence that such a measure as this was unnecessary, than otherwise. When this measure was urged upon the ground, that there was a number of persons who correspond with the French, and who invite them hither, he could not assent to it, because there was no better proof of that than the Minister's assertion, to which experience did not teach him to give implicit credit; he must therefore meet the motion for reading this Bill a first time with his decided negative.

The Chancellor of the Exchequer said, that with regard to the existence of a conspiracy, what he had said had been misrepresented by the honourable Gentleman who spoke last. It had been stated, as if he had conveyed an idea, that nothing was to be found in this country but loyalty and attachment to Government. That loyalty, indeed, he was happy to think was general; but so far was he from stating it to be unanimous, that, on the contrary, he stated expressly, that although a large portion were favourable to Government, there were, nevertheless a description of persons too considerable both in number and activity, to be passed by unnoticed, whose conduct was opposite to the general sense of this nation. Was it then to be contended, that because these circumstances were so plain as to call forth the zeal of almost every man in the country, except

except its enemies; that therefore we were to take no precaution whereever for our own safety? The honourable Gentleman said, there was a period when we ourselves did not think it necessary to take this precaution, without laying before Parliament different evidences from that which is before it now. There was, indeed, a time when evil disposed persons were active, and when there were insurrections and difficulties to be overcome, and danger to be avoided.

But would the honourable Gentleman undertake to say, that the preparations made by the enemy for a descent upon this country were at any other period during the war ever so ripe, so extensive, and so truly alarming as at the present crisis? He would hardly risk so ill-founded an assertion. France had, in the former part of the contest, been totally engaged in her continental wars; the powerful confederacy which had been formed against her, kept her troops in constant action, and employed every means and every resource to which she could resort. She was so completely occupied as to render every hostile design against us ridiculous; and every attempt perfectly nugatory. We were well aware of the weakness of her means, with respect to the execution of any project of invasion against us, though we were at the same time fully satisfied of her destructive views and her wishes to annihilate us as an independent nation. But situated and involved as she was then, we had less to apprehend from any attempts which, in the heat of inordinate ambition, and urged on by intemperate revenge, she might, however, madly be induced to make, for the purpose of destroying our political and civil liberty, our religious blessings, and our commercial prosperity. But the case was now extremely different.

The French Government, freed from the perplexities and struggles in which it had been involved by the military exertions of the continental powers, was at liberty to employ its troops directly against us, and centered all its hopes in attacking this nation, which had so gloriously opposed the torrent of general anarchy, and manfully continued the contest vigorously, successfully, and alone, against all the force, and against all the arts and machinations which it could employ. The force it had hitherto employed had been defeated with disgrace and shame, and the base undermining machinations with which it worked, to diffuse disaffection and propagate the doctrines of anarchy in the heart of the country, would, he trusted; be speedily and successfully counteracted. If he wanted any other evidence, to shew the necessity of the interference

of Parliament, to invest the executive Government with the power stated in the Bill, he would make use of no other to recommend it, than the prompt and spontaneous offer which the honourable Gentleman had made in the beginning of the debate, to join in the most effectual manner, in promoting the zealous and spirited unanimity of the whole body of the people, in their exertions to secure from the rapacity of an unprincipled, plundering, and lawless invader, the possession of every object that was truly dear to them. But was there any thing, he would ask, that could produce unanimity in a greater degree, and secure the vast benefits naturally resulting from the great and happy co-operation of all well-disposed persons, jointly exerting themselves with one heart and with one hand for the preservation of their most valuable rights, than the adoption of the present measure, which went to the disabling disaffected and dangerous men from destroying, by open acts of violence and insidious arts, that unanimity on which the honourable Gentleman had laid such stress for effecting the salvation of the country? How, therefore, the honourable Gentleman's objections could be fairly reconciled with the animating and patriotic professions which he had made, and which, in fact did him so much honour, he could not help saying, he was at a loss to determine.

The honourable Gentleman did feel, from the natural effusion of the warmth and impassioned sentiments of patriotism which he had delivered, that the zealous co-operation of every individual was required at this important crisis in the common defence, and surely he would not, upon mature reflection, weaken that most desirable end by his opposition to a Bill which directly went to invigorate the public mind, and to cement the effective and irresistible union of men of all parties and of all descriptions, by freeing them from the apprehensions and dismay to which they were liable, by suffering men tainted with principles hostile to the constitution, and, indeed, bent on the destruction of it, to remain at large, in readiness to contrive and carry into execution their horrid projects. So far, therefore, was the Bill from being objectionable, that it, on the contrary, promoted, in the most effectual way, the chief object which the honourable Gentleman had at heart. The honourable Gentleman had, in the first stage of the debate, acted honourably, and it was earnestly to be hoped, that he would follow up that conduct by acting consistently. But was it consistent with that vigilance and with that spirit of precaution which the honourable Gentleman had

so strenuously recommended to the House and to the country, first, to let us suffer the invasion to take place, and then proceed to suspend the *Habeas Corpus* Act. In other words, we were to be uncommonly vigilant and cautious when the enemy had once obtained a footing in the country; and at the moment when we were threatened with the most imminent peril, we were only then to think of securing ourselves against the dangerous and perhaps fatal activity of domestic traitors. But, it was urged, that notorious proofs ought to be furnished to induce the House to give their assent to the present measure. In answer to that, he would ask, what was the nature of the proofs which appeared? The House had been told, on the authority of the Executive Government, which no Gentleman could attempt to say, would be lightly hazarded, that a strong spirit of disaffection prevailed both in this country and in Ireland. Yet if that information was not deemed sufficiently satisfactory, he would maintain, what he was completely satisfied could not be denied, that the House and the Public had been told so upon the testimony of the French themselves. Were Gentlemen then to disbelieve all these authorities, and were they to give no credit whatever to the publications of the French Government, which had uniformly in almost every topic that related to the plan of invasion, held out, as an encouragement and as a facility to execute it, that the most material assistance was to be expected from the exertions and co-operation of their agents and instruments here? Would the House act differently from the acknowledged practice of their ancestors, even for a considerable time previous to the expected danger, and not adopt salutary measures of defence and general preservation, unless the peril was immediate and unavoidable? Such a conduct would not only be contrary to the rule of right, established and continued by the wisest precedents, but would be directly the reverse of that which human reason ought to dictate.

Taking the question, therefore, in every possible point of view, he was sure that these grounds were sufficient to induce the House to agree to the preamble of the Bill which had been sent to them from the House of Lords. That there were men disaffected to the constitution of the country and to his Majesty's Government, no doubt, could possibly exist; for the preamble of the Bill was proved in most satisfactory manner by clear and notorious testimony, and the consequence followed of course. He therefore earnestly called upon the House, and the honourable Gentleman, in a particular degree,

gree; whose conduct in the first stage of the debate was entitled to the most honourable commendation, and whose consistency was on that principle so materially involved in the present question, to agree to the Bill, and not to suffer the enemy first to come here and proceed afterwards to deliberate.

Mr. *Sheridan* said, he wished to act on principle and not on confidence; the Minister said, he knew the existence of a conspiracy, and admitted that he (Mr. Sheridan) did not know it, how then could he vote for this measure otherwise than upon confidence? He was told, indeed, that the French themselves had published their intention of invading the country, and that they trusted to the aid of traitors here; he did not think that much credit was due to that assertion; for the French themselves had stated, that they would be joined in this country by all the friends of Parliamentary Reform. Taking that as a specimen, either of their judgment or veracity, there did not seem to him to be much reliance due to either. Indeed he thought the Chancellor of the Exchequer expected too much, in expecting him to have no will of his own, after he had assented to the motion for the Address that day. He was most clearly of opinion, that this country ought to be well prepared to meet the enemy; it ought also to convince the enemy it is prepared. That could be done only by raising the spirit of the British people, to shew their dignity. In his opinion to deprive them of so material a bulwark as the *Habeas Corpus* Act, was not the way to do either; for such a measure would only spread discontent among themselves, damp their spirits, and lessen their dignity in the view of foreign nations.

The Chancellor of the Exchequer did not pretend to say that the honourable Gentleman who spoke last ought not to have a will of his own; no doubt he ought; every body knew he had; all he meant to say was, that the principle which led him to support the Address, ought to lead him also to support this measure, as a thing necessarily connected with the Address. They differed upon that point, and each had a right equal to the other to express his opinion.

Mr. *Nicholls* said, he thought this was not a measure adopted from confidence, it was adopted from principle; from the apprehension of an invasion; and feeling it so, it thought it a duty incumbent upon him not to give a silent vote upon it.

The question was then put, "That this Bill be now read a first time."

The

The House divided,

Ayes 183
Noes 5

Majority 178

Mr. *Sheridan* argued against the duration of the Bill, which, as it came from the Lords, was until the first of February, 1799; a period which, he conceived, was much too long; he conceived also that there was no necessity for giving it that duration, because it was probable that the next session of Parliament would commence much before that time.

The *Chancellor of the Exchequer* was of opinion, that, it might be advisable to continue the bill after the present Session; and to limit its duration to a shorter period than that which was specified might possibly prevent the members of that House from being active in different parts of the country in the manner they might wish to be, and as the honourable Gentleman recommended them to be; because they might be called up to their duty in that House, for the mere purpose of renewing the present bill.

The *Speaker* observed, that the question of the duration of the bill could only be discussed in the Committee; and that if the bill had originated in that House, the part of it which respected the duration must have been in blank.

Mr. *Hobhouse* said, that no man would have been more forward than himself to join in the suspension of the *Habeas Corpus Act* in case of absolute necessity; but as it was a very strong measure, very strong proof of its necessity ought to be adduced before it was adopted. He saw no such proof; he had heard much of the notoriety of a conspiracy existing against the Government of this country, he knew of no such notoriety; he could not vote upon an assertion of such notoriety; and therefore he voted against the measure.

Mr. *Turney* said, he should be extremely sorry it went out to the public, that he had assented to any measure to abridge the liberty of the subject, on the words of the Minister. He did no such thing. He voted upon much better evidence. The distinction between this and the former suspension of the *Habeas Corpus Act* was, that the preamble of the present bill was founded upon the verdict of the Grand Jury. He hoped that the determination of that Jury would be found erroneous; but it was impossible for him to pronounce it so until another Jury had passed their verdict upon the question. It was upon a verdict of a Jury he found-

ed

ed his vote, and he should have been sorry it should go abroad, that even in a moment of alarm, he had voted anything against the liberty of the subject, without having been called upon to do so by his public duty. He considered the finding of the bill as his justification for the vote he had given, and he thought that no man ought to be ashamed of giving a vote upon confidence in a verdict of a jury of his country.

Mr. Justice approved of the measure, and intimated that the hon. Gentleman (Mr. Sheridan) had, by his opposition to it, thrown a damp upon what he had said before.

The question was then put for the second reading; carried, and the bill was read a second time immediately.

The *Chancellor of the Exchequer* said that after what had passed he should like to know, whether any Gentleman had any, and if any, what amendments to propose.

Mr. Tierney said, he did not see any reason whatever for continuing the bill till the first of February, because it was reasonable to presume that the next Session would commence long before that period; therefore he suggested the propriety of limiting the duration of the bill to the first of November next, or for ten days after the opening of the next Session of Parliament.

The Speaker suggested, that this conversation could only be regular in a Committee.

The question was then put, that the bill be committed, and ordered.

The House being in a Committee, Lord Hawkebury in the Chair,

Mr. Tierney moved his Amendment, that the duration of the bill should be only till the first of November next, or for ten days after the commencement of next Session of Parliament.

The *Chancellor of the Exchequer* wished to know, whether the hon. Gentleman intended to fix it for the first of November, as there might be a material difference between that and ten days after the beginning of next Session. The hon. Gentleman would see that the latter might be ten days after the beginning of January or February, and might thus extend, not only beyond the time which he alluded to, but also beyond that of the bill as it now stood.

On *Mr. Tierney* answering that he wished to leave it to the first of November,

The *Chancellor of the Exchequer* observed, that the date of the expiration of the Bill would thus be made absolute, at a time

time when the personal services of members might be so employed in different quarters of the kingdom in the repelling the enemy, as to prevent the assembling of that House.

Mr. *Tierney* could not conceive any situation of affairs, without the whole country were in the enemy's possession, in which the Parliament could not meet. He conceived that there might always be found a sufficient number about the metropolis to put the Speaker in the chair. And if circumstances should render it impossible or inconvenient to assemble there, they were not surely confined to Westminster as a place of meeting—they might assemble in any part of the kingdom which was most convenient.

The *Chancellor of the Exchequer* said, that such measures would be taken for the protection of the metropolis, as rendered it highly improbable that it would be necessary to change their place of meeting. But he doubted whether they could meet with that full attendance necessary to the discussion of the question, without calling too many away from objects of equal or greater importance.

Mr. *Sheridan* again stated his objections to the whole of the measure. It had been said (by Mr. *Tierney*) that the present bill was in some measure borne out by the verdict of a Grand Jury. But he conceived that the least suspension, to which he had objected, was founded on equally good authority, being found by a committee of both Houses of Parliament; for it should be recollected that both the Grand Jury and the committees proceeded on *ex parte* evidence. He was still of opinion that the present was a measure more likely to encourage than to depress the hopes of the enemy. Nor could he forget the consequences of the last suspension; under which about 100 persons had been apprehended, some of them tried and acquitted, and all of them discharged without a spot of guilt, after a rigid and long confinement. He could not think that those who had so abused the powers then put in their hands, were fit persons to be again entrusted with similar authority; for these reasons he must give his dissent to the duration, as well as the principle of the bill.

Mr. *Tierney* admitted that the verdict of the committees and the Grand Jury proceeded on *ex parte* evidence; but that he preferred the finding of the Grand Jury, as he conceived them to be less under the influence of the minister.

The *Chancellor of the Exchequer* did not profess himself to be very ambitious to interpose between the honourable Gentlemen. He would only observe, that the persons to whom

378 WOODFALL'S PARLIAMENTARY REPORTS. (Commons,
 an honourable Gentleman (Mr. Sheridan) had alluded, were
 not longer in custody than they might be by the law of treason
 as it ever stood. With respect to the question relative to the
 continuance of the bill, he hoped Parliament would have so
 far in view the possibility which he had advanced, as to grant
 such supplies as would not render its meeting absolutely neces-
 sary so early as November. The difference, however, between
 them was too trifling for the Gentlemen to divide the House
 upon.

Mr. Tierney thought that the reasons for urging his amend-
 ment, were rather strengthened than diminished by the last
 argument of the right honourable Gentleman.

General Fawcett supported the amendment, on the ground,
 that with respect to this country the danger of an invasion must
 be over by the first of November, though it might be greater
 as to the sister kingdom. That state of the weather which
 would discourage such an attempt here, would be their only
 chance of success in that Island. The House then divided.

Ayes, (For the Amendment)	14
Noes,	133
Majority	119

The duration of the bill therefore is, until the first of Fe-
 bruary next.

The bill then went through all its stages, and was passed.
 Adjourned.

W. W.

HOUSE OF LORDS.

SATURDAY, April 21.

The Royal Assent was given, by commission, to the Bill for
 suspending the Habeas Corpus Act until the first of February
 next, and to one private bill. Adjourned.

HOUSE OF COMMONS.

SATURDAY, April 21.

The Speaker informed the House that he had been in the
 House of Peers, where the Royal Assent was notified to the
 Bill to empower his Majesty to secure and detain such persons
 as he shall suspect to be conspiring against his person and go-
 vernment, and to one private bill.

The

The Bill for preventing, during the war, the sending any money, or transferring any property, &c. to the persons exercising the Government in Switzerland, or to any persons acting under them, &c. was read a second time, and ordered to be committed to a committee of the whole House on Monday.

Adjourned.

HOUSE OF LORDS.

MONDAY, April 23.

Heard Counsel on a Scots Appeal.

The Duke of Portland brought down a message from his Majesty, the substance of which was, that His Majesty recommends to this Parliament to consider of the means of enabling his Majesty to make such remittances to Ireland, on the authority of the Irish Parliament, from time to time, as shall not exceed the sum of two millions, on provision being made for the interest and charges on a loan to that amount.

The message being read, an Address, which was an echo of the message, was agreed to, *nem. disp.*

Adjourned.

HOUSE OF COMMONS.

MONDAY, April 23.

A message from the Lords informed the House, that the Lords had agreed to several private bills, and had passed a bill for divorcing Samuel Boddington, Esq, from his now wife, to which they desired the concurrence of the House.

Mr. W. Dundas brought in a Bill to amend the last militia act for Scotland; read a first time.

Sir W. Bouverie brought in a bill to regulate the depasture on certain common and uninclosed lands; read a first time, and ordered to be read a second time, and to be printed.

Mr. Secretary Dundas moved the order of the day, for the second reading of the Bill for the better dividing the militia into regiments, battalions, and companies, &c. read a second time, and ordered to be committed to a committee of the whole House the next day.

ARMY EXTRAORDINARIES.

The Chancellor of the Exchequer moved the order of the day, for the House to consider further of a supply to be granted to his Majesty.

The House having resolved into a committee,

The *Secretary at War* moved, that it is the opinion of this committee, that a sum, not exceeding 1,351,391l. 19s. 3d. be granted to his Majesty, to defray the expences of the extraordinary pay of the army, from the 25th of December 1796, to the 24th of December 1797, not provided for by parliament.

The *Chancellor of the Exchequer* said, that the sum now proposed to be voted, was the excess of the whole of this branch of expenditure beyond the estimate; and he had the satisfaction to find, that the amount of it came as nearly as possible to the sum which he conjectured at the last opening of the Ways and Means; there was, therefore, nothing in this article to require explanation.

The resolution was then put and carried.

ADDITIONAL SEAMEN.

Lord Arden moved, that it is the opinion of this committee, that the additional number of 10,000 men be employed in the sea service, in addition to 110,000, already voted for the current year.

The *Chancellor of the Exchequer* said, that the nature of the question now proposed called for the attention of the House. Gentlemen would remark that there was a difference between the last, and the preceding vote of seamen, the last was 10,000 men below the former one. At the time when the last vote was passed, the situation of the country, and the relative situation of its enemies was such as not to render it necessary for the House to vote any more than 110,000 men for the sea service in the course of the year. It was stated that there were more than that number actually mustered, but that it would not be necessary that the whole should be kept up. Gentlemen would now, however, be aware, that circumstances were such, that no diminution of the largest number voted for the sea service should take place; no diminution, certainly, in any, but least of all in the naval force of this country. He had the satisfaction to inform the committee, that six or seven thousand of the 10,000 now proposed to be voted, were already mustered; that was to say, six or seven thousand were now mustered beyond the vote of 110,000 men; and this vote was only to cover the expence of this additional number beyond the last vote, and also to raise about 4000 more, if that can be done; and he had the satisfaction to state that that number may be had, and also, that it will be sufficient; and that it will satisfy the most anxious mind upon that head, as being sufficient for the defence of the country; and that it shall be

be done without curtailing any force in the most distant parts of the globe, wherever the interest or the honour of this country may call for its exertions. He was not aware what votes might be necessary hereafter for such purposes; but he was confident the committee would agree to the resolution which was now before them.

The question was then put and carried.

Lord Arden moved, that there be 7*l.* per man per month to maintain the men for thirteen months.—Agreed to.

400,000*l.* were voted for the reduction of the national debt.

10,043*l.* pursuant to addresses of the House not made good by Parliament, together with a prodigious number of other sums for various public purposes under different heads of services were voted.

The House being resumed, the report was ordered to be received the next day.

Agreed to go into a Committee of Supply on Wednesday.

SALE OF THE LAND TAX.

The Chancellor of the Exchequer moved the Order of the Day for the second reading of the Bill for making perpetual, subject to redemption, &c., the Land Tax.

The Order being read, he moved that this bill be now read a second time.

Mr. Talliffé said, he had an amendment to propose to this motion.

The Chancellor of the Exchequer said, that having had occasion repeatedly to trouble the House upon the general principle of the Bill, much at large, he did not think it necessary to enter into it at large then. He only thought it right to state to the House, that from every consideration he had given to the subject; from every thing he had heard in the House; from every thing he had been able to learn; from a review of every thing that had passed in the House, and from every suggestion he had received out of it, he was more and more confirmed in his opinion, not only of the propriety of the principle, and great ultimate advantage to the public from this measure; but also of its utility at this very moment, although as yet, it was only depending in Parliament; for it had caused a material effect already. He would not detain the House by arguing that subject now. The point between him and those who opposed this measure, was, whether or not it would have a tendency to support the credit of the country. The objections to the bill were a little uncandidly stated at first; and it came at

a period the least favourable to the raising the funds, for it was just before a loan; and yet, with these disadvantages, the funds were that day higher than they were when this measure came first before the House; but that was not all; he had that day bargained for a loan, the particulars of which he should lay before the House in two days. It was conducted with a competition of four parties of unquestionable solidity, and character, and he had had the satisfaction of concluding a bargain, in proportion to the state of the market at the day, more favourable to the public than any even the most sanguine could hope for. This was a proud testimony of the just courage of the country, of sober and discreet reliance on the wisdom and the firmness of Parliament; not a passionate, thoughtless, idle vaunt, but a sober and calm reliance of intelligent men, acting for their own interest upon a large scale of national policy. He had the satisfaction further to state, that much advantage was derived to the public in this bargain, in consequence of this bill being before the House; they relied on the wisdom of Parliament for passing it into a law: he knew, by the authority of those with whom he treated for the loan, that the advantage to the public, in consequence of this bill being in agitation, was between two and three per cent. under the confidence that Parliament would be wise, and would pass this Bill into a law, he had heard this very day that the subject was in the course of debate; he had, he said, in consequence of such a measure being in agitation, saved to the public between four and five hundred thousand pounds sterling. This then showed that he was not wrong in his conceptions of this measure, although he was perhaps not quite so sanguine in his expressions in its favour as those who, with very dogmatical opinions, so very strenuously opposed him.

Mrs. Folliffe said, he could not utter a single word upon the merit of this Bill. He could say nothing either for or against it, because he had not made up his mind upon it. He only implored delay. He wished to give to the country at large an opportunity of understanding the bill, for there was not a man in that House, nor any body of condition out of it, whom this measure did not affect. He wished to delay the Bill for some time on account of the Chancellor of the Exchequer himself, for it might affect his popularity, and that was a very great consideration to the country at large at this time, for he is the Queen Bee that keeps the Hive together.—For these reasons, he should move an amendment, that, instead of the word "now," be substituted "this day fortnight."

Mr.

Mr. *Pierpoint* could not suffer a Bill of this great and general importance to be read a second time, without expressing a wish it may undergo the most serious and deliberate discussion. He had but little opportunity of examining the Bill, but he was not satisfied its ultimate effect would be of general advantage. He was told it would raise the funds, and create a facility in raising the supplies of the year; but he considered it rather as an expedient to remove that which lies in the way of another requisition; another, and another tax may follow upon the land, until at last, land would not be worth the tenure. He knew that large burthens must be borne, but the House should take care not to annihilate men who have shewn their patriotism so frequently; and he really thought that some of the landed proprietors of this country felt already the pressure of the times more than any other class of men.

The *Chancellor of the Exchequer* declined arguing the bill then; but observed, that the two Gentlemen who had hitherto opposed it, did so chiefly, because they had not yet had sufficient opportunity to peruse the Bill. Upon that point, he could only say, that he did not believe that any measure was ever brought before Parliament, in which there was so much previous, and, during the stages, repeated notice, as on the subject now before the House. He had no objection to give any reasonable time between the second reading and the commitment; but really he had not heard any thing like a reason alledged against the second reading; and, therefore, he must oppose the amendment.

Mr. *Fallis* said, that the House had indeed been gratified in hearing several capital speeches upon this subject from the Chancellor of the Exchequer; but the public had no opportunity of knowing what that right honourable Gentleman said, but from the very incorrect manner in which his speeches were reported in the newspapers.

Lord *Sheffield* entered at large into the merits of the bill; and declared, that from every view of it, he was led to conclude it was entirely a wrong measure. He thought that it would hereafter be a heavy charge against the Minister for taking advantage of the perilous situation of the country to pass a measure that was so contrary to equity and prudence. He thought that the arguments which had been urged against this measure by an honourable Baronet (Sir W. Pulteney) had not been answered.

Mr. *Secretary Dundas* supported the Bill; and expressed some

some surprise that Gentlemen should be calling for the delay of a Bill, the essence of which was printed, and in their hands above a fortnight ago, for the essence of it was to be found in the printed resolutions. He thought it strange also that Gentlemen who could argue coolly and deliberately enough upon most topics that came before them, should mix in the discussion of this matter, a degree of heat that did certainly not belong to it; for if any measure ever required a calm and temperate discussion, this was of that description; people might differ in opinion upon the matter, but there was no reason why they should be angry. He thought that the bill ought then to be read a second time; if any delay should afterwards be thought necessary, there were several stages in which that might take place.

Mr. Coke (of Norfolk) said, that a circumstance had come that day to his knowledge which he ought to relate to the House. A noble Lord asked him if he meant to attend the House that day? To which he answered, that he did not know he could do any good by attending the House. He said, that a Gentleman of his acquaintance had contracted with another for the sale of an estate, and that the purchaser said, after he had offered a certain sum of money for the estate, that he now will not take it, unless he had it for less than he had bid for it by five years' purchase. This was worthy of the consideration of the House; whether the fact was true or not, he did not know; but it was an alarming thing. He observed that this destructive war had very much diminished the value of land; and this measure would diminish it still more. In the county of Norfolk, land that, before the war, sold at thirty, now will not produce twenty-five years purchase; and as to the city of Norwich, real estates there can hardly be sold at all, for nobody is inclined to buy. It was not difficult to see that another land tax would follow this; and by and by land will not be worth holding. He should say no more: he hoped it would appear he had done his best to oppose this measure.

Mr. Buxton differed from the honourable Member who spoke last, as to the value of land in Norfolk. He admitted that land depreciated in value since the war; but he himself had within a month sold a little land at 29 years purchase. He knew not whether any other tax was to be imposed upon land; but if there should, he hoped it would be accompanied with a proportionate impost on other property.

The Solicitor General, Mr. Simeon, Mr. Wood, and Mr. Wilberforce,

Wilberforce, approved of the bill, as necessary under the present exigencies of the country, and as by no means prejudicial to the landed interest.

Mr. Balfour and *Mr. Hobhouse* opposed the Bill, as tending to lower the price of land.

Mr. Tierney and *Mr. Hussey* also opposed it; and pointedly observed, that the Minister attempted to abridge the liberty of Parliament, by pledging its faith to adopt the measure.

The *Chancellor of the Exchequer* denied that he had pledged Parliament to adopt the measure. He had only promised that he would persevere in it, impressed as he was with the opinion that, from the solidity of the arguments that had been urged in its favour; and, from the futility of those that had been adduced against it, the wisdom of Parliament would no doubt incline them to accede to the measure.

After a few words from *Mr. Tierney* and *Mr. Wilberforce*, in explanation, the question was loudly called for, and the House divided.

Ayes (For the second reading) 153

Noes 38

The *Chancellor of the Exchequer* then moved, that the bill be committed on Wednesday se'nnight.

This motion was opposed by *Mr. Hussey*, *Lord Sheffield*, *Sir Gilbert Heathcote*, *Sir W. W. Wynne*, and *Sir Wm. Milner*, as allowing too short a delay for the thorough examination of the Bill.

Mr. Hussey proposed Friday se'nnight.

The *Chancellor of the Exchequer* persisted in his original motion, in which he was supported by *Mr. Burdon* and *Mr. H. Brown*. The question for the commitment on Wednesday se'nnight, was then put and carried. After which,

Sir W. W. Wynne moved, that the House be called over on Friday se'nnight, &c. the motion was opposed by *Mr. Buxton*, as being productive of great inconvenience to many members, who were now actively employed in preparation of defence against the threatened invasion.

The motion for the Call was then put and negatived without a division.

The other Orders of the Day were desisted, and the House adjourned.

HOUSE OF LORDS.

TUESDAY, April 24.

The House in a Committee of Privileges heard *Mr. Adams*,
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as counsel for the petitioner. William Hamilton, Esq. in support of his claims to the Belhaven Peerage. Adjourned the further hearing till Friday.

HON. MR. TWISLETON'S DIVORCE BILL.

The House having resolved itself into a Committee; Lord Wallingham in the Chair.

The *Duke of Norfolk* reminded their Lordships of the objections he had formerly stated, on the ground of all the children born while Mr. Twisleton and his wife cohabited together not being recognized in the preamble of the bill. In that preamble the son was mentioned, but no notice was taken of a daughter, which it was evident from a petition that had been presented by the child's grandmother, Mrs. Wattel, was born twelve months after the marriage; as the father and mother had chosen to drop all notice of this female child, the grandmother had thought it right to claim the protection of the House in its favour. His Grace, therefore, thought it incumbent upon their Lordships to demand some further information respecting the nature and circumstances of the birth of the child in question, and the rather as the counsel for the petitioner had desired them to pass the bill as it stood, comprehending only notice of the son. His Grace said, he had looked to a variety of Divorce Bills, and he held all in his hand (five) that had passed or were pending in the present Session, in every one of which the legitimate children were to be enumerated; he saw no reason why the House should depart from what appeared the established rule of proceeding in the present instance, and hoped that what he had stated, would induce their Lordships to call for more information and evidence than they as yet had before them.

The *Lord Chancellor* said, the noble Duke was utterly mistaken, when he talked of the established rule of the House. There was no such rule, on the contrary it depended altogether upon the Petitioner to make out what case he thought proper, and it remained for the House to examine the witnesses to the material facts that constituted the case stated in the bill, such as the legality of the marriage, the act of adultery, the prosecution in the courts below, its consequences, and the sentence of divorce, *a mensa et thoro*, obtained in the Ecclesiastical Court, and above all, to ascertain that there was no connivance or collusion practised on the part of the husband. That as to the legitimate children, it was in the option of the Petitioner to mention them or not.

In a great variety of Divorce Bills, where the parties had children born in wedlock, no notice was taken of them, and the going into evidence further on that part of the case respecting the present bill, could answer no end whatever. The establishing facts either one way or another at their bar, could not amount to evidence elsewhere. No use could be made of it in any other court, and therefore the only possible way of treating the noble Duke's objections would be to strike out that part of the preamble which mentioned the son, and also to strike out the bastardizing clause of the bill.

The *Duke of Norfolk* said, he was not yet satisfied, although he had great deference for the noble and learned Lord's opinion and judgment. If there was no established rule of the House, that made the recognition of all the legitimate children in a Divorce Bill necessary, it would not be denied him, that it was the ordinary practice and usage, and surely a practice that had obtained almost invariably for a number of years, ought not lightly to be departed from in this single instance, and the more especially, considering the quarter from which the request that their Lordships would depart from it came, viz. the counsel for the Petitioner. The Duke put the case, that the daughter stated in her grandmother's petition, or her issue should hereafter become claimants for a title, would it be of no avail, that a Bill of Divorce which passed into a law could be produced, in the preamble of which her legitimacy was recognized, which must, he conceived, quiet all scruples as to her being a supposititious child? Surely it would have some weight as matter of evidence, and therefore he must repeat his conviction, that the ordinary practice and usage of the House ought not to be departed from in the present case.

The *Lord Chancellor* said, the noble Duke might be assured that his idea upon the hypothetical case that he had put was entirely erroneous. The preamble of a bill was not matter of evidence, but the enacting clauses must necessarily be obeyed after the bill had passed both Houses of Parliament and received the Royal assent. He recollected a case in which the owner of an estate had obtained a bill enabling him to sell, and had himself put into the preamble a reserve of certain rights to copyholders on the estate, which were in case of the sale to vest in them. It happened that the estate was not sold, but the copyholders nevertheless claimed the rights, and attempted to produce and set up the recognition of the preamble in support of their claim, but it was

refused to be admitted as evidence, even against the assertion of the copyholders rights himself. In fact a preamble of a bill was not admissible, because it was not matter of evidence. In the present case, nothing could be done but striking out the bastardizing clause, and omitting that part of the preamble which mentioned the son.

The *Bishop of Rochester* said, he had his doubts, which did not so much rest upon the grounds of objection stated by the noble Duke, as on his own feelings, in consequence of the Petition presented by the grandmother of the female child, which both the father and the mother seemed to have passed by on the present occasion. His Lordship proceeded to explain himself more fully, but was informed by the Lord Chancellor, that his arguments militated against the established principles of law and parliamentary practice.

After a slight conversation further, the House divided;

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Lord *Walsingham* gave the casting vote in favour of the Lord Chancellor's opinion.

The clauses were then read *singulatim*, the bastardizing clause omitted, and that part of the preamble that recognized the son.

The report was ordered to be made the next day.

HOUSE OF COMMONS.

TUESDAY, April 24.

Mr. *Abbott* stated, that the persons who presented the Petition upon the question of the Right of Election for the Borough of Tewkesbury, were desirous of withdrawing their Petition: and therefore he moved, that the order of the day upon that Petition be read, which, being done, he moved, That the said order be discharged.—Ordered. He then moved, that the said Petitioners have leave to withdraw their Petition.—Ordered.

Mr. *Hawkins Browne* presented a Petition from the Duke of Athol, praying that the House would grant the same privileges to the Fishers of the Isle of Man, as those concerned in the British Herring Fishery.—Referred to the Committee on the Herring Fishery.

Mr. *Wilberforce Bird* moved the order of the day on the Bill for amending the Land Tax Bill as far as regards the qualification of Commissioners; which being read, the Bill was read a second time, and ordered to be committed to a Committee of the whole House on Friday.

Mr.

Mr. *Long* brought up several accounts relative to Chelsea Pensioners, Supplementary Militia, Cavalry, &c. which had been ordered to be laid before the House.—Ordered to be laid on the table.

Mr. *Hobart* brought up the Report of the Committee of Supply; all the Resolutions of which were read and agreed to.

The Bill to empower certain Magistrates to order expences on the trials of Misdemeanours to be paid out of the County Rates, &c. was read a second time, and ordered to be committed to a Committee of the whole House on Monday.

Mr. *Percival* gave notice that he should move the next day that this Bill be referred to a Committee above stairs, instead of a Committee of the whole House.

ALIEN BILL

The *Solicitor General* moved the order of the day upon the Alien Bill; which being read the House resolved itself into a committee of the whole House upon the Bill.

The *Secretary at War* began by remarking the vulgar prejudices against which Gentlemen ought to guard on a subject of this nature. Thus there was a sort of prevalent error concerning every foreigner, that he must be a Frenchman, and concerning every Frenchman that he must be an emigrant; thus, it had been stated to that effect in the House concerning a person apprehended, who, it appeared, was neither a Frenchman nor an emigrant, and, as it turned out, had not been guilty of any crime. This was a reason why the Committee should be cautious how they confounded the innocent with the guilty. There were other mistaken opinions entertained, and he feared gained ground in this country; thus some were apt to see in Emigrants nothing but that of persons coming into this country in distress; and simply in this view it was surely no light matter to expel persons merely because they were distressed, not from mere surmise or fancied apprehensions of danger. The body of French emigrants ought, in his opinion, to be considered as consisting of men, many of whom had made great sacrifices for their loyalty and attachment to their antient Government; many of them the respectable representatives of all that remained of the clergy, nobility, magistracy, and proprietary of the land. They had a claim to be considered, not merely as suffering individuals, but also in their collective and representative capacity, which made them of still greater consequence. He was afraid there were many in the country, who, in the days of the prosperity of such persons,

persons; would have been ambitious to have been introduced to, and cordially received by them, now forgot all this, and viewed these same individuals merely as persons in reduced circumstances. He was happy, however, to say, that this treatment and cold behaviour was not universal. To the honour of the sex he must remark, that ladies of the first rank; character, and respectability in this country, had shewn their sympathy and liberality towards those of their own sex, who in France had seen better days.

He thought the country bound not, upon light grounds, to withhold that asylum and assistance they had hitherto received from this country; for what would this be doing, but to put them in a worse situation than if they had never been taken under our protection? Those who wished the expulsion of the Emigrants, did so from an apprehension of danger to this country. For his part, he could entertain little or no apprehension of danger from this quarter, for, of the Emigrants, about one half were priests, besides women and children; the remaining number were inconsiderable. A common prejudice was entertained against them, because they preferred France to this country, and their antient constitution to our own: but this, in his opinion, was no objection to them. It would, indeed, be extraordinary, if the case were otherwise, as well as unreasonable to require of them to sacrifice all their antient opinions and prejudices, or to expect that a Frenchman, for the allowance of a shilling a day, would sacrifice what he considered his birth-right, for a mess of pottage. But though it was not to be expected of them that they should prefer this country to their own, yet no inference could be deduced from this, why they should forfeit the confidence, liberality, and humanity of the Nation and Parliament? We certainly had a right to expect that they would not betray or sell the country which sheltered them; that they should not take part with those who at present were our enemies, supposing that they did not co operate with us.

He would ask, what instances could be produced, during the long period of the present war, of these Emigrants proving untrue, or betraying whatever trust had been reposed in them? They had been trusted upon some occasions, necessarily, and pretty highly. They composed a part of the army of the Duke of York upon the continent. Had they proved betrayers of their trust then, or been deficient in their duty? Were the corps of Rohan, of La Chatre, of Montalembert, &c. false to their employers? In army of the Prince of Condé whole ranks were

were to be found composed of persons who had been loaded with honours for services done their own or other countries; the army of the Austrians had been saved by the exertions of this corps, who had many of them gallantly fallen whilst defending their allies.

After alluding to the unfortunate affair of Quiberon, which he considered to have suffered by surprise rather than by treachery, he proceeded to notice a question that was sometimes asked, as alluding to the Emigrants, namely, were there not spies in this country? He would answer by saying, there were just as many as the Directory of France chose to employ. Nor, if instances of this sort should be found amongst the Emigrants, would it be any matter of surprise. There were also traitors in this country; but would it be justifiable on that account to proscribe a whole body of men, who had been taken under the protection of this country, and who had not abused the confidence reposed in them? But it might be questioned, whether, in case of danger from a successful landing of the enemy, they might not wish to save their own lives by joining the enemy? He would only say, this was a trial they had not been called to; but in similar instances in other countries, they had shewn their regard to their honour to be equal if not superior to that of their lives. Many of them had preferred the calls of duty and of honour to every other consideration.

If this Bill were intended merely as a prevention to guard against any machinations that might be formed to our prejudice by any of the Emigrants, he could not object to it; and he knew that it was the wish of those Emigrants whom he had been speaking of, that great distinctions should be made, that the wheat should be winnowed from the chaff, and the Government of the country have the means of expelling unworthy characters. A pernicious spirit had gone abroad, which, as it would lead to palpable injustice towards the Emigrants, should be combated. Was it a reason, because they had been driven from every country in Europe where the French arms had gained influence, and, on account of their hostility to the present French Government, that they should also be driven from this country? Some worthless characters might be found amongst the Emigrants, as was the case in every community; but this did not extend to the general body, in many of whom, he meant the French Nobility, he could place all possible confidence with regard to his own life; and, what he did not value less, the safety and honour of his country. Mr.

Wyndham

Wyndham insisted that the body of Emigrants were entitled to the protection and favour of this country. It would be setting a most dangerous example to hold up this to view, that those who had remained faithful to the constitution of their country should be discarded and expelled; nor did it become the wisdom and prudence of that House to give countenance to the impression, that in case of an invasion, the French Emigrants would turn upon their benefactors. Were this impression to gain ground, it might endanger the safety and lives of this unfortunate description of persons.

Mr. Tierney spoke to the following effect: I confess I should have thought, that when a person entertaining political opinions against the Minister had been found to assist the strength of Government, as I did the other night, for the purpose, as I conceived, of defending the country; a Minister would have been satisfied with that, and would not have taken an opportunity of extolling himself. I say, if he was really anxious for the safety of Old England, and not for his place under its present Government, he would have been satisfied with the support he had without extolling himself, and attempting to glance at another person for any little sinister purpose. But, although he did not intend it, he has done me a kindness. I did give a vote the other night in support of Government. I might easily have avoided voting at all upon that subject; but, that sort of policy makes no part of my system as a Member of Parliament. Here I am when my duty calls me here; by my conduct am I to be tried, and by it do I wish to stand or fall in the opinion of the public. I certainly did vote for a suspension of the *Habeas Corpus* Act. Under any other Administration, and under other circumstances, when a Message came from his Majesty, stating that a correspondence existed between certain persons in this country and France, a man would pause before he voted for a measure which has the effect of depriving the public, for a time, of one of its great bulwarks of freedom; but under this Administration, and under the present circumstances of this country, recollecting that a similar step was taken upon an allegation of Treason; and no such Treason was found to exist; and recollecting therefore that Administration ought to be cautious, I did vote for the suspension of the *Habeas Corpus* Act; wishing, however, not to strengthen Administration, but the Executive Government; I wish to avow I did so rather than find an apology for evading.

Here

Here it did appear that a Grand Jury of the county thought there was ground for suspecting there was in it a traitorous correspondence; and as I thought that Administration had no influence over a Jury, I thought I was called upon to vote upon the strength of that verdict. I find, however, that many persons are dissatisfied with that opinion of mine. It might have been a weak, but all I am anxious to have understood is, that it is an honest opinion. I think there is a difference between the conduct of Ministers and their adherents, and that of a body of Gentlemen who are not, as I conceive, under any Ministerial influence. This is my reason for voting as I did; it may be a foolish reason; but I say again, it is an honest one. I know that many think it a foolish reason; I have no anxiety to defend it against that charge. I only wish to defend the integrity of it. But the Secretary at War says, that now at least, I am satisfied there exists Treason in this country. I do think, that of all inhuman conduct I ever witnessed in this House, that of his conduct has in it more of inhumanity, I say inhumanity, than I ever witnessed before. Inhumanity to a prisoner now under a charge of that very kind. I say this, because I am, and shall be, a friend to a Gentleman now under that charge; I say I shall be his friend until he is convicted. I mean Mr. O'Connor. I have long lived on terms of friendship with that Gentleman; and I will say, that I never met a more intelligent man, nor a man of better temper in my life; and in all the conversations I ever had with him, I found nothing in him that was not friendly to the Constitution of his country. Perhaps, by what I am now saying, I may raise a cry against myself; but I will say, that his political professions were always consistent with my sentiments. I shall retain my opinion of him, unless he is found guilty. I look back to my acquaintance with him, with pleasure, and shall renew it with joy if he be acquitted. I shall look back upon it with regret if he be convicted; but, do not let the Secretary at War say, that I am satisfied that Gentleman is a traitor to his country. I am surprised he should have so misunderstood the reason I had for my vote the other night.

If the right hon. Gentleman, instead of pronouncing a panegyric on the old government of France, had taken a view of the old government of England, it would have been well. But he says, that we are satisfied of the fact, that there are traitors in this country; I know to whom that must be supposed to allude; but I will say again, if there be a man upon

earth whom I do not think a traitor, it is Mr. Arthur O'Connor. Should he be convicted, I shall regret my acquaintance with him; but if acquitted, I shall renew an acquaintance, in which I have had great pleasure—perhaps the Secretary at War may call him “an acquitted Felon.” I never discharged a duty more painfully than in voting for the suspension of the *Habeas Corpus* Act; but I did it because it did appear to me to be a duty, and I am in the judgment of the Committee, whether it is a manly conduct in a Minister, to pursue that conduct, as that right hon. Gentleman has done, and to make that a taunt and reproach to me, which was meant as a support to Government in the hour of danger. I have no desire to avoid censure if I deserve any; but I will not suffer a gross injustice, and have that imputed to me which I never intended. I hope I have not forgotten the principles of the Constitution, and the practice of the law of England; and I shall never admit any man to be a traitor prior to his conviction. I was in hope that the suspension of the *Habeas Corpus* Act would have been carried as mildly as possible: but the case of Mr. O'Connor should not have been hinted at, *prima facie* evidence should not be hinted at, because nothing should be said before the whole is concluded. With regard to the case of the brother of Mr. O'Connor, who was confined in Ireland under a very serious charge, he was brought to trial; no witnesses appeared; nor was the shadow of proof adduced against him. The learned Judge before whom he was brought for trial, lamented that no evidence was brought forward. Thank God, we have no such Judge in England! We have no man upon the Bench here who would utter so savage a sentiment, as to lament that no evidence is called against a prisoner.

Mr. Carew called to order.

Mr. Tierney.—I own I am not speaking strictly to the question now before the Committee; but what I say grows out of what was said, by the Secretary at War. The error was in letting me originally go into it; it would be an act of injustice to stop me now. This Gentleman came here from Ireland; and, instead of coming by stealth, he wrote a letter to the Duke of Portland, stating, that he intended to come, and requested permission to see his brother; he was taken up, although he was acquitted.

The *Chancellor of the Exchequer*. I call to order. I did not do it sooner, although by the honourable Gentleman's own admission, I might have done so with propriety, because
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he seemed to be explaining for himself a part of his conduct upon a former occasion. My reason for stopping him now is, that he is making a statement which is connected with a cause now pending in a Court of Justice, and which now stands for trial. In his proceeding thus, he must do one of two things; either he must make a false impression upon the public, and prejudice the public mind against the prosecution, or compel ministers to disclose that which may make a false impression, and create a prejudice against those who are charged. It is, therefore, impossible to go on with this discussion with propriety. I will not say one word on the case of the brother of Mr. O'Connor, except that what his Majesty's ministers have done with regard to him, was done on the ground of their public duty; and they would have been false to their country, if they had acted otherwise than they did. But there was one part of the speech of the honourable Gentleman which demands notice. He talks of a savage language being held by a learned Judge in Ireland, and this at a time when neither any Judge, nor any Juryman, can perform his duty in the administration of the law, without imminent hazard of his life. He said, it was savage in the Judge to say he lamented that no evidence was called for the prosecution. That is not a correct statement.—The sentiment was this—"That it would have given him more satisfaction, if Mr. O'Connor had been pronounced innocent, on a full trial of the merits of the case, instead of there being no witness called."—What there was in this that deserves to be called inhuman, unfeeling, or inconsistent with the character of a Judge, or of the rules of law, either of England or Ireland, I do not know. I am sure that honourable Gentleman will, upon a little reflection, see the impropriety of these harsh epithets against a grave character who is placed in an arduous situation to administer justice.

Mr. *Tierney* said, I will retract what I have said against the learned Judge, if the facts are as the minister now states them. I know nothing of the case but what appears in the newspapers. Whether the statement be right or not, I know not; but, if the Minister's statement be correct, I will retract what I have said upon that subject. This, however, is a subject which ought to be enquired into. I must say again, I thought it harsh to preclude a man from seeing his brother under confinement. I do not ask for any reason for that now; but hereafter I shall do so.

The *Secretary at War* said, he denied that he meant to

throw any imputation upon Mr. O'Connor, nor had he inferred that the honourable Gentleman charged the arrested persons with being guilty, but merely, that the decision of the Grand Jury formed a presumption of guilt.

Mr. *Tierney* again explained.

Mr. *Buxton* said, he must withdraw, if any thing more was suffered to go on respecting Mr. O'Connor; because he was one of the Grand Jury who found the Bill.

Lord *Malden* thought, that whilst the emigrants conducted themselves with propriety, it would be cruel to proscribe them: at the same time, it was natural to suppose, that if an enemy should land, they might be disposed to join them. He suggested the propriety of removing them to some distance from the metropolis. He was not of opinion, that the number of French Priests was equal to that of the other Emigrants. In the parish of St. James, Westminster, there were now 900 emigrants, and about 4000 in the metropolis; but of these, not more than 4 or 500 were Priests.

Mr. *Jones* professed himself wholly unsatisfied of the propriety of suffering so many emigrants to remain in this country. He commented on many parts of the speech of the Secretary at War, with which he was dissatisfied in many points. As to the affair of Quiberon, the less the Secretary at War said upon that subject, the better; but he hoped there would be a strict inquiry into that business after the War.

The *Chancellor of the Exchequer* said, that the subject never had been considered unworthy of attention. Before the honourable Gentleman had said a word on the subject; his learned Friend, the Solicitor General, had been preparing a bill for the very purposes recommended.

General *Tarleton* thought that there were some of the emigrants who might be serviceable at the present crisis. With respect to the Quiberon expedition, he admired Sombreuil and the other gallant men who fell with him. It was the plan of the expedition, as defective in time and place, which he had reprobated.

Mr. *Jefferys* (of Coventry) said, that knowing a good deal of the excellent conduct and character of many of the French Emigrants, he wished to say a few words in their favour; but the Secretary at War had with so much ability and humanity pleaded their cause, as to make any thing in addition superfluous.

Mr. *Jefferys* said, not being much in the habit of speaking in commendation of the conduct of ministers, he trusted that when he did so, however his judgment might be called in question,

question, his sincerity would not be doubted. He had no hesitation in saying, that if the most sanguine admirer of the present administration was desired to name any part of their conduct more entitled to commendation than another, he would, in his opinion say, it was for their generous and humane conduct to these unhappy and distressed emigrants, and for the prudent precautions taken to prevent, as much as possible, the generosity of the nation being imposed upon to the injury of the state.

Mr. *H. Browne* approved of this bill as a proper measure of caution; but he wished to bear his testimony to the general good conduct of the Emigrants.

The *Solicitor General* wished to explain the object of a new clause, which it was his intention to propose. By the former act, Captains of ships were obliged to deliver to the officers of the Customs at the port at which they arrived, a list of the Foreigners they had on board; but there existed no power to prevent them from landing. He wished, therefore, to introduce a clause, to give a power of preventing them from landing, until they had permission.

Mr. *Jolliffe*, advertng to the preamble of the bill, disapproved of the harsh and offensive language employed against the enemy. The manner in which the French were accused of tyranny and oppression, &c. he thought unworthy the dignity of the Country.

The *Chancellor of the Exchequer* defended the language. Many of the Emigrants had been compelled to leave France during the Government of Robespierre, and tyranny and oppression were now universally imputed to the Government of Robespierre by every party in France.

Mr. *Jolliffe* did not think the language fitting. He did not think it consistent with the dignity of the country to introduce the brawling language of Billingsgate, and the petulance of a fishwoman into an Act of Parliament.

The *Solicitor General* defended the language employed. The man, he said, was unworthy of the character of an Englishman who was afraid to speak the language of truth to the enemy.

This occasioned some personal altercation between Mr. *Jolliffe* and the *Solicitor*, the former conceiving himself personally alluded to. He said, that if the learned Gentleman did not explain or retract the observation, he must expect to hear from him in another manner. He was not afraid to meet the French, but he did not think it manful to assail them with abusive language.

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The *Chancellor of the Exchequer* said, that nothing could be intended personal to the honourable Gentleman. His learned Friend had stated his proposition generally, that it was unworthy the character of Englishmen to shrink from the language of truth, because it might be supposed to touch the enemy.

The *Solicitor General* said, he would not retract what he had said. What he said was generally spoken. If there was any cause for offence given, he had fully as much reason to be offended as the honourable Gentleman, as the term Billingsgate had been applied to a bill which he was known to have drawn up; yet, as he did not conceive the observations personally applied to himself, he had taken no notice of it.

Mr. *Folliffe* was satisfied with the explanation; and added, that he should have been sorry to have had any difference with the learned Gentleman, as they had been much together when little boys.

The *Chancellor of the Exchequer* suggested, that it would be better that his learned Friend should bring up his clauses, that they should be read *pro forma*, and the discussion postponed till another day. This was agreed to, and done accordingly, and the bill ordered to be printed.

The *Chancellor of the Exchequer* brought up the following message from his Majesty.

G. R.

His Majesty recommends it to the House of Commons to consider of enabling his Majesty to make remittances, from time to time, to be applied to his service in Ireland, in such manner as shall be approved by the Parliament of that kingdom, to an amount not exceeding Two Millions, on provision being made by the Parliament of Ireland for defraying the interest and charges of a loan to that amount.

G. R.

It was referred to the Committee of Supply.

The House went through the Committee on the Swiss Property bill, and the report was ordered to be received the next day.

The other orders of the day were then deferred.

Adjourned.

List of the Members of the House of Commons who voted against the second reading of the Land Tax Redemption bill on Monday last.

Barclay—Bristolport

Bulard—Devonshire

Blackburne—Lancashire

Lygon—Worcestershire

Martin—Tewkesbury

Milford, Lord—Pembrokehire

Bouverie

Bouverie—Northampton
 Coke—Norfolk
 Denison—Wootton Bassett
 Dickens—Northamptonshire
 Egerton—Newcastle
 Harbison—Thetford
 Heathcote, Sir G.—Lincolnshire
 Hobhouse—Bethenley
 Howard—Gloucester
 Hufsey—Salisbury
 Jones—Denbigh
 Kemp—Lewes
 Langton—Minehead
 Langton—Somersetshire
 Lemon, Sir W.—Cornwall
 Lloyd—Montgomeryshire

Milner—York
 Nichol—Tregony
 North—Banbury
 Palk—Devonshire
 Plumer—Hertfordshire
 Porter—Stockbridge
 Pulteney, Sir W.—Shrewsbury
 Ransleigh—Fowey
 Ridley, Sir M.—Newcastle
 Russell, Lord W.—Surrey
 Russell, Lord J.—Tavistock
 Sheffield, Lord—Bristol
 Shuckburgh, Sir G.—Warwickshire
 Sinclair, Sir J.—Petersfield
 Tierney—Southwark
 Vyner—Lincolnshire

TELLERS.

Jolliffe—Petersfield

Pierrepoint—Nottinghamshire.

HOUSE OF COMMONS.

WEDNESDAY, April 25.

A variety of Military Estimates were referred to a Committee of Supply, into which the House resolved itself.

Several sums were voted for the Supplementary Militia, for the Provisional Cavalry, for the expence of Volunteer Corps, &c.

On the question for granting a sum for the expence of the Provisional Cavalry,

General Tarterton said, that the great object of the country at present was to defend its independence, and every thing which tended to strengthen it, for that object deserved approbation. The Provisional Cavalry, however, which he had seen in several parts of the country was not in such a state of discipline and training as could render it very serviceable in case of danger. There were no officers appointed, nor were the men in a state of training. He recommended to ministers to station these Corps in the neighbourhood of regiments that were already bred and disciplined, that they might have the benefit of their example, and be the sooner prepared for service.

Mr. Dundas said, that from the best information he could obtain on this subject, it did not appear that these troops were in that undisciplined state alluded to by the honourable General. Officers were among them who had been in service before: great pains were taken to train them, and even the plan recommended by the honourable General, had been adopted.

adopted. He would not, however, attempt to say, that they were completely disciplined; but he hoped they would soon be so, as they were assisted by non-commissioned officers from different regiments.

General Tarleton was of opinion, that the right honourable Secretary had merely given a description of the Yeomanry Cavalry; and not of the Provisional. All the members of that House could have but one object—the safety and defence of the country; he should therefore be very happy if it should appear that the Provisional Cavalry were really in the situation in which the honourable Gentleman had described them to be.

The *Chancellor of the Exchequer* said, that measures were already taken to render these corps completely effective, and it was intended to take from the bred regiments as many non-commissioned officers as they could spare to assist in training the Provisional Cavalry.

General Tarleton was of opinion, that it would be better to strengthen the established regiments by these recruits than to weaken them by taking away their non-commissioned officers.

The following sums were then voted, viz.

For the Volunteer Corps	—	—	—	£. 350,000
For the Expences of the Barrack Master General's Department	—	—	—	510,717
For Foreign Corps	—	—	—	226,083

General Tarleton wished to know where the Foreign Corps were employed?

The *Secretary at War* said, they were chiefly employed in Portugal. Noel's, Dillon's, and La Chartre's corps served there.—There was one corps in the Isle of Wight.

The *Chancellor of the Exchequer* said, the House would recollect that in November last he had stated the army extraordinary at 2,500,000l. He now found from enquiry that they would greatly exceed that sum, and could not be less than 3,200,000l. Gentlemen were no doubt aware, that in times like the present the expences incurred for our defence could only be measured by the preparations which the enemy made against us. He should therefore move, that the sum of 3,200,000l. be granted for the Extraordinaries of the Army for the year 1798.—Agreed to.

The *Chancellor of the Exchequer* moved a resolution grounded on his Majesty's Message of the preceding day, relative to remittances to Ireland; which was agreed to.

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The following Miscellaneous Services were next voted.

For printing the Journals, &c. of the House of Commons	£.	s.
beyond what was granted last Session	360	0
For the maintenance of Convicts at Home	3338	0
For making surveys of different kinds, to replace money paid out of the Civil List	801	0
For preparing estimates, &c.	89	19

The House was then resumed, and the report ordered to be received the next day.

Mr. *Folliffe* thought, that at no period more than the present, did it become the House to exercise most scrupulously its controul over the public expenditure. Several of the accounts which had been voted were by no means sufficiently particular in stating the expences they contained. He therefore wished the particulars of the accounts printed.

The *Chancellor of the Exchequer* wished that the discussion on that subject might be postponed till after the business of the Committee of Ways and Means was gone through, which he supposed would occupy the attention of the House for the remainder of the day.

The resolutions being all agreed to, the report was ordered to be received on Friday, and the Committee of Supply to sit again on the same day.

BUDGET.

The House having resolved itself into a Committee of Ways and Means.

The *Chancellor of the Exchequer* rose, and spoke to the following effect:—"It will be recollected that last November, when I laid before the Committee an outline of the probable amount of the expence of the year, I stated it at the sum of 25 millions and a half. It is a satisfaction to me to observe in the outset, that the statement which I shall now have the honour to submit, differs from the former in so few points, the changes which will be remarked in it are so intelligible, and the causes by which they have been occasioned are so plain and obvious, that I shall not be under the necessity of trespassing long upon the time of the committee. The total amount of the Supply which I am to lay before you to-day, according to the most accurate estimate that can be formed, and after six months have elapsed, notwithstanding the circumstances which have called upon us to make additions to our expenditure, is 28,490,000*l.* being an excess of about three millions beyond the former calculation. This variation, it will readily be perceived, results in a great measure,

from the increased exertions for our national defence, which the state of the preparations of the enemy, and the probability of their attempting to put their designs in execution have occasioned. I shall proceed, therefore, to state, as shortly as I am able, the variations which have taken place; and explain the articles in which the statement I formerly gave are increased.

NAVY.

The Navy was stated at 12,538,000*l*. To this an additional number of Seamen have been voted, upon estimate, the expence of which is 910,000*l*. making the charge for the navy 13,448,000*l*.

ARMS, ORDNANCE, AND MISCELLANEOUS SERVICES.

On the head of the Army there was stated, 10,107,000*l*. The additions which have since been found necessary, and voted for the Supplementary Militia, for the Provisional Cavalry, for the Voluntary Corps, which it will be satisfactory to the House to know, form an addition of forty-five thousand men to the armed force of the country are to be taken into view. There is likewise an increase of 120,000*l*. upon the head of Barracks, making on the whole 520,000*l*. It is to be considered however, that this addition is occasioned by the number of troops quartered in barracks; by this means saving the increased rates that would have been allowed to the Innkeepers for their subsistence. Temporary barracks have likewise been established in particular districts, where it was necessary, in the present danger of foreign attack, that a strong military force should be stationed. The whole of the additions on the above heads, from 10,107,000*l* the former estimate will make the charge on the head of Army, 12,857,000*l*. There are likewise some alterations on the ordnance, miscellaneous services, &c. which make the whole of the surplus, above the statement in November last, 3,640,000*l*. Upon that occasion, however, it will be recollected, that there would be something required for deficiency of grants. The amount of the Supply now, however, will be diminished to the extent of the sum stated on this head. The payment to be made to the Bank for loans advanced, will now be paid off out of the land tax; the payments on which have come in faster than was expected. In addition to this, likewise, it will be seen from the distribution paper, that of the sums granted for the relief of the merchants of Grenada; circumstances have occurred which will render it unnecessary

unnecessary to issue the sums upon that head to the extent of 100,000*l.* less than was expected. Deducting the sums upon these accounts, amounting to 680,000*l.* from the present statement of the supply, there will remain an excess of 2,990,000*l.* above the outline of the supply as stated in November last; leaving the sum of 28,490,000*l.* as the amount of the supply of the present year.

I am aware, however, that in this statement no provision is made for any extraordinary expence which may be necessary in a crisis like the present; when the extent of our exertions must be regulated by the magnitude of the danger with which we are threatened, and by the aspect which that danger may assume, should the enemy persevere in their desperate designs of invasion. For the expence which in such an emergency would be required, we must provide as circumstances shall direct. We can only take care to cover by specific provisions, those sums which are stated upon actual estimate. No calculation can be made of the expence which such an exigency as that, for which we ought to prepare ourselves, will occasion. It must be generally provided therefore by a vote of credit, which it may either exceed, or of which it may fall short as the case may happen. What other precautions such a state of things may require, will be subject of future consideration. At present I propose only to make provision for the specific services which can be calculated upon estimate, reserving till a future period the motion I shall have the honour of making for a vote of credit. Gentlemen may be desirous to know to what extent that vote of credit is intended to be. As far as I can at present form any judgement upon the subject, two millions will be the sum proposed.

WAYS AND MEANS.

Having stated the variations which circumstances have produced in the supply; it remains for me to explain the alterations which have taken place, and the additions that may be necessary in the plan of the Ways and Means since November last.

The Land and Malt then I take as usual at 2,750,000*l.* The next article is the Assessed Taxes. Here the Committee will be aware that a considerable variation has taken place from the sum, at which their produce was originally estimated. The modifications which upon the wisest principles were introduced into the Bill in its progress through the House, have greatly reduced the amount at which this ar-

title was stated. The committee must likewise be sensible that it would be impossible to form any thing like a correct estimate of the sum, which the measure with all its modifications may be expected to produce. In many parts of the kingdom, the charges to be made have not been ascertained, and the appeals to which they must give rise have not yet been decided. As far as can be collected from the returns, there is reason to believe, however, that the defalcation in the produce of this measure, will not be such as to diminish or destroy its beneficial tendency. In the metropolis too, from which the returns have almost only been received, the abatements will be found chiefly to apply. In the country the same circumstances, which in the case of the metropolis required the modification necessary, do not exist; and the produce of the tax therefore will not be expected to fall short in the same proportion. There is reason to hope then, from any data upon which an opinion can be formed, that the produce will be more than one and a half of the Triple Assessment originally stated, likely be cut off. I propose then, to take credit for the produce at this rate. The original amount of the tax, on which the increase was imposed, is 2,700,000*l*. I conceive then, that I may very safely state the probable produce of the increased Assessment, at 4,500,000*l*. While we make allowance for the diminution which the modifications of the Act may occasion, we must, on the other hand, take into view the assistance which its produce will derive from the Voluntary Contributions; which so honourably, for the zeal and the spirit of the country, have every where been set on foot. This liberal and patriotic fund will supply what it was prudent in the legislature to remit. It must indeed be the highest satisfaction for the House to perceive, that, while we discharged our duty, in providing those supplies which were best calculated to give vigour to our exertions and to carry us safe through this difficult crisis, we have the best proof that we acted in unison with the feelings of our constituents. Their approbation of the measures we adopted we find expressed, not merely by their words, but by their actions—by actions, too, not of an indifferent nature, but such as shew their conviction of the necessity of great exertion and their readiness to second your efforts by a voluntary sacrifice of a part of their property. We have the pleasure of knowing, too, that this generous and patriotic ardour and zeal have been displayed by every class and order in the community. I am afraid, however, that some orders there

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anywhere exceptions will be found, and I am sorry that these exceptions are to be found in orders where it should least have been expected. At the same time, we know that no order generally has formed an exception to the liberal impulse with which the inhabitants of this country have been animated. The army, the navy, merchants, manufacturers, artificers, labourers, in short, gentlemen of every class and rank have been eager to demonstrate that voluntary zeal which is the surest proof of their attachment to their country, and the best answer to the threats of an insolent foe. Knowing from the best sources of information, that the spirit of this nation is rising with an energy incalculable, that every day furnishes additional proofs of the generosity and patriotism of every part of the country, I am rather fearful of under-rating the resources which this spirit may call forth, than of computing them above their amount.— In many parts of the country the most liberal contributions we know to have been made, the precise amount of which cannot yet be ascertained. Of the whole sum subscribed at the Bank, two-thirds may be taken as Voluntary Contribution, which on the present amount will be 1,350,000*l*. As it is impossible to calculate the extent to which this system so happily begun, may be carried in different parts of the country from which no returns have yet been received, I am sure the Committee will not think the calculation exorbitant, if I take the article of Voluntary Contributions at 1,500,000*l*. It would give me pleasure to find that it will exceed the sum at which I state its probable amount, but in all the circumstances I feel a considerable confidence that to this extent we may look to it as a certain resource.

The next article for which I propose to take credit is one which has not yet been submitted to Parliament, but which I entertain a sanguine hope will meet with their approbation. It is an object, which in a considerable degree has occupied the attention of the commercial and mercantile world. It includes more to recommend it to the attention of the House with less of solid objection than any measure which for some time has been submitted to Parliament. It will be attended with an additional protection to our trade, and without imposing any new burthens upon the country, it will secure an additional resource for the support of the war. It is my intention to propose this measure only as applicable to the war, and to a war such as the present. A considerable part of the recommendation which it possesses, arises from the particular nature of the contest in which we are now engaged. It has
this

this farther advantage too, that a considerable part of it will be paid by foreigners. It will take from the enemy one of the resources of maritime rapine, which has been the only employment and encouragement for their marine in the absence of legitimate commerce. The plan to which I allude then is, to adopt some regulations respecting the convoy of our trade, and to impose a certain tax upon exports and imports, in such manner as not to risk the diminution of our commerce; a tax too that will be repaid by the decrease in the price of insurance, which will fall upon the consumer and diminish the number of prizes which our extended commerce has held out to the predatory spirit of the enemy. I am aware that this subject will require considerable discussion. On the face of it, however, it is one to which no objection occurs. I do not propose to take it, supposing it should receive the approbation of the House, for more than a year, or for the interest of the Loan. But when our increased and encreasing trade requires additional protection, it cannot but be desirable to adopt a plan which will not only secure this important object, but afford a considerable resource to the support of the present contest. In this way, then, from the best general estimate that can be made on this subject at present, I think I may venture to state this object as capable of producing the sum of 1,500,000l.

In the statement which I made in November last, I took credit for 500,000l. upon the Consolidated Fund. Upon looking at the Consolidated fund, and the produce of the taxes, so far as they can be ascertained up to April, I have the satisfaction to see that the sources from which the Consolidated Fund is supplied are amply productive. Still, however, as the charges on the payments to be made on the Loan will, in the course of the year, come upon the Consolidated Fund, I do not think it proper to include in the Ways and Means any supply to be derived from this source. I propose, therefore, to leave it to provide these objects, and to redeem the arrears of charges upon the grants of 1797. At the same time, however, I shall proceed to state from the most authentic papers, the amount of the Revenue up to the present period, as far as those parts which have been more recently imposed can be ascertained. I am the more anxious to enter into this statement, that from a comparison of the permanent revenue with the permanent charge, Gentlemen may be able to judge of our whole situation, and the adequacy of our resources to support the efforts we are called upon to exert. The total amount, then, of the old revenue, exclusive

exclusive of the taxes imposed in 1797, was 18,570,000*l*. The amount of taxes imposed in 1797, to the extent of about three millions are to be added. It cannot be expected that these taxes should yet be placed in a state of collection by which their produce could accurately be ascertained. About 1,500,000*l*. have already been obtained on account of these taxes. From the best calculation which can be made, it is computed that their permanent produce will be 2,000,000*l*.

The tax upon legacies was estimated at 120,000*l*. which from its nature, must require time to come up to the estimate. It has yet produced only between 50 and 60,000*l*. I entertain a hope, that when it finds its level, it will appear that it was not over-rated in the estimate. I shall, therefore, now state it at 100,000*l*.

The next is an article upon which various opinions have been entertained as to its produce. It certainly has hitherto fallen short of its estimate. One principle cause of this is, that rumours had been circulated that the tax was to be repealed, which prevented people from renewing their stock. I am of opinion, it will in time advance much farther than those who disapproved of it ever imagined. It has of late advanced considerably, and is continuing to advance. I mean the article of wine. If the House shall think proper to persevere in the continuance of that duty, I am of opinion, that the Revenue will benefit nearly to the extent which I originally stated; I shall, therefore, estimate the produce of this duty at 400,000*l*. more than it has hitherto yielded to the Public. These sums, being added together, furnish the amount of 20,470,000*l*. I have stated all these sums from a view of the actual produce, except three articles—the one comes from the general estimate of 1797; the second I have stated on the supposed increase in the Legacy Duty of 1796, and the other on the supposed increase in the article of Wine; and I have taken these on a fair estimate, and it will appear when you come to add the Land and Malt, you will have a total revenue amounting to the sum of 23,000,000*l*. sterling; and the permanent charge is the sum of 23,295,000*l*. and you will find that instead of any diminution, your revenue is actually increased, and that its future produce is not doubtful. Even now the permanent revenue of the country is a balance to the charges against it; I have no wish to calculate on the certain advantages which will arise, and must immediately affect your revenue on the return of peace, nor

do I wish now to calculate the produce of your returns from India ; nor do I calculate in this place any thing upon the Lottery, of which, however, the House has a right to avail itself when it thinks fit. I state the permanent expenditure on the supposition, that the estimates will be the same as they have been already stated to be in the different reports of the different Committees who have carefully and laboriously investigated the subject ; by which it appears, that the total amount of the expenditure, as I have already stated, is 23,295,000*l*.

I will take credit for the Lottery for 200,000*l*. As to the Loan, I propose the sum of 15,000,000*l*. sterl. exclusive of Ireland, which I should state at 2,000,000*l*. but lay wholly out of view at present, as it forms no charge on this country. In this view of it the Ways and Means will stand thus :

For Land and Malt	-	-	-	£.2,750,000
Assessed Taxes	-	-	-	4,500,000
Exports and Imports	-	-	-	1,500,000
Voluntary Contributions	-	-	-	1,500,000
Lottery	-	-	-	200,000
Advanced by the Bank	-	-	-	3,000,000
Loan	-	-	-	15,000,000
Total				£.28,450,000

which within a trifle meets the amount of the Supply.

THE LOAN.

The next circumstance to be considered is the terms of the loan ; and upon that subject it is not necessary that I should detain the Committee for a long time, because the discussion of another subject, in which this loan was incidentally mentioned by me, brought forward the general terms of that loan ; and it was then noticed in a manner that has rendered it unnecessary for me to say much upon it now. It is, however, matter of great satisfaction to me, and must be so to this Committee, to reflect that we have a loan upon such terms at the present moment. It must give us all great satisfaction to find so much confidence in the monied men ; and here I cannot help observing, that I do believe that much of the advantage which the public derive from this bargain has arisen from the confidence which monied men have, that the plan now before Parliament for the sale of the Land Tax will be adopted. Much satisfaction as I have from this, I have a still greater satisfaction in reflecting that the people of England feel they are safe, because they take such measures as ought to save them. The people

people of England, and the monied interest among them, shew the enemy that while they alarm us with threats of invasion, we have taken measures for our own security, in a manner calculated to meet our danger. This is a circumstance for congratulation to us all; inferior to it, although important, is the detail.

The price of stock on the day when the bargain was concluded, was $48\frac{1}{2}$, in the 3 per cents, reduced $47\frac{1}{2}$. For every 100l. the subscriber gets 150l. in the former 50l. in the latter, with 4s. 11d. long annuity, which at $8\frac{1}{2}$ years purchase makes 99l. 12s. and a fraction for each 100l.

By this bargain the subscriber takes less than his 100l. His profits depend then upon the discount on prompt payment, or the advantage of the saving of interest if he pays by instalments. The former is more advantageous to the subscriber. As he takes 99l. 12s. and a fraction, by the discount for each hundred he gets 102l. 4s. 6 $\frac{1}{2}$ d. and by the other mode for his 100l. he has 101l. 2s. 7 $\frac{1}{2}$ d.

A better bargain never was made before, considering all the circumstances of the case. This has arisen from the confidence of the monied interest in the solidity of our resources—a just confidence most unquestionably; but which would be ineffectual and unavailing but for the firmness and resolution of the people of this country. The enemy endeavoured to weary us out, but we have risen in proportion to the exigency of our situation, and as the enemy are lower, our resources are comparatively higher and greater.

Having said this, the next point is the amount of the charges that will be produced by the loan of 15,000,000l.—8,000,000l. of which is provided for by Assessed Taxes, that being to be repaid out of the gradual produce of that impost. Accordingly, only 7,000,000l. are to be provided for. The total amount of the interest is 8l. 5s. for every 100l. consolidated annuity. The amount therefore of the annual interest to be provided for is 577,000l.

NAVY DEBT.

I took a view on a former occasion of the unfunded debt, and by simplifying the accounts, shewed what the whole excess of the unfunded or Navy Debt only was, from the commencement of the present war to that moment. I then mentioned that I should perhaps propose to fund 2 or 3 millions of the Navy Debt; but, upon mature consideration, I find that it will be unnecessary to fund the Navy Debt, and

that it will be more proper to leave it in its actual situation until peace. In the year 1792, it amounted to 2,745,000*l.* and it now exceeds 6,000,000*l.*—so that the interest to be provided for will be 186,000*l.* which, added to 577,000*l.* will amount to 763,000*l.* in taxes to meet the interest of all the charges for the present year.

NEW TAXES.

The first article to which I would call the attention of the Committee as being a fit one for a new duty, is an article which has remained so long without any additional duty, and is so diffused in general consumption that it will, I have no doubt, produce the sum at which I have estimated it; at the same time it will bear on the lower classes of the community so slightly, as to be matter of great satisfaction to me to state it to the Committee. I mean the article of Salt. A considerable profit will accrue to the revenue from certain regulations that are to be proposed with regard to the mode of collecting the duty, but for which I shall at present take almost nothing. The amount of the tax which I propose to the Committee as fit to be imposed upon this article, is 5*s.* in the bushel, that is to say, double the present duty. This will produce 500,000*l.* Some deductions are to be made in case of prompt payment. The charges of the management will not be increased; on the contrary, they will be diminished, so that I shall take for this article 503,000*l.* This the Committee will see goes a great way towards the whole produce. It is necessary to know what will be the pressure of this tax, especially on the lower orders of the community. I have considered it a great deal, I do not say that I am strictly correct in the opinion I have formed upon it; but after the best view I have been able to take, I am led to believe that in a great number of instances the consumption of a small family is not more than half a bushel a year, which will call upon the lower class in each family to defray an additional expence of half a crown a year. Comparing this with the effect of various taxes that have been imposed at various times, and which, with the best care this House could take to spare the lower orders in the progress of this war, I think the present is a very moderate tax. We must remember that all taxes on the articles of life must in some degree affect the lowest as well as the highest; I hope, therefore, this impost will not be considered as an unreasonable one. I hope, also, that if any man should tell them

them they are heavily taxed, he will tell them likewise that if the nobleman, if the man of property, if indeed all the higher classes of the community be interested in the present contest, they cannot be more so than the lower orders are; that there is no man in the social state that is more deeply or even so deeply interested in this contest as he who is doomed to subsist upon the produce of his own labour. That it is a contest which involves the happiness of the lower orders more immediately than that of any other; that the French Revolution has been followed up by a system of flattery and pride to the passions of the lower class, while its effect has been an utter destruction to their comfort; that of all descriptions of men in Europe, none have been more unhappily the dupes and victims of such a system than the honest, laborious, but too credulous husbandman and mechanic; a system that has filled the greater part of Europe, indeed, with an equal portion of misery and disgrace. I therefore do not hesitate to propose this tax to the Committee.

TEA.

Another tax I intend to submit, upon which some questions may hereafter arise. Doubts may be entertained whether it will not occasion fraudulent importations, and also whether it may not bear a little too hard upon the East India Company. I do not expect it to pass without some opposition from that respectable quarter; I mean a tax of five per cent on Tea of the highest prices, by which I mean all teas above 2s. 6d. per pound; the total amount of which I estimate at 111,000l.

ARMORIAL BEARINGS.

The next article is one that rests on principles exceedingly different from those of which I have been yet speaking. It is not a tax on any necessary article of life, neither am I certain of the amount of its produce; all I can state upon it is upon a very loose conjecture; but upon that conjecture I am very sanguine. Although it is not a necessary article of life, it is nevertheless an article of choice and taste, which I wish by no means to check the enjoyment of. I hope I may say, that without any bigoted attachment to customs, or without any affection for pride or for vanity, it is an article that deserves tenderness and respect.—Perhaps, indeed, a moderate degree of reverence, or, if you please, superstition, not to say idle vanity, is to be applauded in the distinguished

branches of our community ; I mean to propose an impost on the use of Armorial Bearings. Perhaps some may think, or invidiously insinuate, that by this I prove I am an advocate for a levelling system ; but I do feel that it is in consequence of these species of distinctions, or the hope of obtaining them, that many men have performed the most heroic deeds ; and I do think that those who possess such distinctions, wisely set upon them a real value, and, in so doing, form a judgment which their passions dictate and their reason approves. Instead of being evidence of their vanity, it proves their wisdom ; for I do think, that in the present state of this world, these links in the chain and order of society are highly essential to the welfare of us all ; and it is because I do believe so I propose this impost, and feel, no doubt, that those who are its objects will cheerfully defray it.

I thought it right to say thus much upon this subject, because some whose sentiments are the most adverse to my feelings will be most ready to approve of this measure, and with whose general opinions I should be very sorry to agree, as I should to differ from those of the objects of this impost. Those who are entitled to use these marks of distinction I do not mean to put to proof of their strict and legal right to do so. I mean that they should be left to their own discretion in that respect, in the same manner as those who take out Game Certificates ; leaving the question of the origin of the right to the determination of Antiquarian Law. I propose that it should be subject to the taking out of a license, distinguishing, for instance, that of having arms painted upon the pannel of a carriage, upon which I should propose an impost of two guineas a year. On another, being a housekeeper, a license for arms engraved upon plate, or upon a seal, or other article, one guinea a year. On a person using such engraving as I have already stated, not being an housekeeper, half a guinea per annum. Upon this subject the Committee will readily conceive, it must be very difficult, if not quite impossible, to be accurate. It is not matter of very interesting information to us all, to learn the precise history of this subject ; but since I determined to bring it forward, it became my duty to make some enquiries into the matter ; in consequence of which I have learnt, that between the years 1615 and 1670 we had, in this country, visitations from Heralds, whose office it was to investigate the right which those who claimed them had to bear arms. And by whose returns it appears, we had 8405, of the heads of families, who possessed that right in 1670.

From

From information better than I could possibly pretend to gain from any other quarter, I learn, that of that number 840 are extinct; there should therefore remain 7565. The grants since that period are only 1893: but it is fair to presume, that a great many more have taken up arms than could do so by any recognised authority; and therefore the computation is, that they amount to 9,458.

It is stated, as a moderate supposition, that under the head of one family there may be six housekeepers bearing arms; and which will consequently amount to 56,748. I do not mean to profess to be any thing like accurate upon such a subject as this; but supposing about 4000 more to be added as living here, and coming from Ireland, the number in all will amount to 60,000. Of this number there are between 12 and 13,000 who keep carriages, who, at two guineas each, I would state at 25,000*l*. The number of housekeepers who keep no carriages, but who have arms on their plate, &c. I would state at 48,000, which, at a guinea each would amount, to upwards of 48,000*l*. The number of those who are not housekeepers, and who may use arms, I would state at 120,000, which would produce 60,000*l*. To which I could make some addition under certain regulations for Foreigners, so as to make

The whole amount to	-	-	150,000
Which together with the sum estimated for Salt			503,000
For Tea	-	-	111,000

Makes in all £764,000

Having stated this, I have stated the whole of the supplies of the year. I have great satisfaction in thinking that I have shewn that the former estimates were as correct as they could have been expected to be; that the principal articles in the new impost are not unreasonable, and that they are necessary to support the contest in which we are engaged. I have proved to the Committee that the confidence of informed men is now greater than it was formerly, as is evident from the terms of the present loan. I have stated, that the taxes are as favourable to the lower orders as it is possible to make them. I have shewn that they will be fully adequate to the sum at which they are estimated; therefore I have only now to hope that I have done every thing that is necessary to satisfy this Committee. He then moved the first resolution.

Sir *Matthew Ridley* wished to be informed more distinctly than he had yet heard the matter stated, how much duty was to attach upon Salt; was it to be double what was now paid in
all

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all, or double what was now paid in addition to the present
duty ?

The *Chancellor of the Exchequer* said, he meant to double,
not to triple the present duty.

Sir *Matthew Ridley* thought that this was a very heavy im-
post upon the salt manufacturer ; he received from forty to
fifty shillings per ton, and now he would have to pay to Go-
vernment upon that the sum of 19l. Considering waste, loss
from bad debts and other losses ; this would be extremely
heavy upon the manufacturer, and a great discouragement to
that branch of trade.

The *Chancellor of the Exchequer* said, that the manufacturer
in this case did not pay, for the duty would be on the con-
sumption of the article ; the manufacturer was in the same
case here as the manufacturer of tobacco. The only questions
were, Whether this was a fair article of taxation, and, if it
was, whether the tax could be properly collected ? As for the
burthen, it did not at all fall on the manufacturer, it fell on
the consumer.

Sir *Matthew Ridley* said, that this would call for a greater
capital from the manufacturer to carry on his business ; and
he still thought that there would be a hardship in this case ;
for the manufacture of salt was not like the ordinary case of
manufacture ; it was a thing of an extraordinary nature, liable
to much waste and heavy losses from bad debts, and was sub-
ject to many disadvantages peculiar to itself.

The *Chancellor of the Exchequer* said, that these observations
hardly applied against an increase of the duty. With regard
to the mode of collecting it, he had stated that it was intend-
ed to put it under another head of management ; and some
abatement was to be made to manufacturers on account of
credit, instead of the discount that was now allowed.

Sir *John Sinclair* said, he wished the Chancellor of the Ex-
chequer to bring in the Bill as soon as possible, because it was
necessary to do so, as Gentlemen would be soon obliged to leave
the House in order to attend their duties in the country, when
they would not have it in their power to pay to the subject the
attention it merited.

The *Chancellor of the Exchequer* said, he intended to bring in
the Bill immediately ; but that part of the subject which re-
ferred to the transferring the Salt Duty to the survey of the
Excise required farther time.

Sir *William Pulteney* said, that this tax on the article of Salt
had a great many recommendations ; because it went over
the

the whole country as an article of General consumption, and would certainly produce a very large sum of money. Speaking in general terms, he was of opinion, that in a national point of view it would be wiser to abolish all duty upon Salt, instead of increasing it. This, however, we could not do now, and the measure which was now proposed, should be considered as a matter of necessity, and not of choice. In support of his general opinion for the abolition of the duty upon Salt altogether, he would observe, that if there were many manufactures depending upon Salt, it would be a great consideration to abolish the duty upon that article. Perhaps manufacturers ought to allowed a drawback upon it; for, if we went on continuing a duty on that article, we might indeed produce a very considerable sum by it; but, by discouraging manufacture, we might materially injure the Revenue in other respects.

He understood that the Chancellor of the Exchequer had under calculated the effect which this new duty would have upon the lower classes of society; for that instead of half a bushel, a bushel was consumed within a year in some of the smallest families in the kingdom. The duty therefore upon them would be 5s. instead of 2s 6d. a year. This was a matter worthy of serious consideration; but above all, care should be taken not to injure our manufactures. He only mentioned this as a topic to be generally considered; for he did not expect any thing to be produced by the observation now, because he was aware the Committee was under the necessity of adopting the duty. He mentioned it to shew that the Salt Duty should be considered seriously hereafter, and he was in hopes it might, in due season, be totally abolished, and some other adopted instead of it.

The *Chancellor of the Exchequer* said, that the consideration which the hon. Baronet had mentioned was very fairly stated, and was a very important one. He was inclined to concur with him in thinking it would be proper, at a convenient time, to take off, it not the whole, certainly the greater part of the duty upon Salt; and yet he thought, under all the circumstances of the present moment, the present tax was a very fair one. His reason for it was this; if the tax upon Salt was wholly taken off now, it would be impossible to find a substitute for it without levying a heavier burthen upon the public than that which was now proposed; and indeed the hon. Baronet seemed to be himself of that opinion. But he was ready to declare, that, with respect to manufacture, he had often turned it in his mind whether it would not be proper to take off the duty upon Salt.—

Perhaps

Perhaps the better way would be to settle that matter by a Commutation Tax. He had that subject more than once under his consideration. At present, however, circumstances would not admit of such a plan. The tax which was now proposed, he was convinced the Committee would consider moderate; and he had done every thing in his power to bear upon the lower classes as lightly as possible. As to the idea of the hon. Baronet, that a bushel was consumed instead of half a bushel in some of the poorer families in the course of the year, he must observe that there was some variety on that head: Districts varied in that particular according to the different articles of food that were consumed; and he believed that his calculation was nearer the average of consumption than that of the hon. Baronet. Upon the subject of Drawbacks to be allowed to manufactures, he was afraid that would defeat the object of the present measure. He was not, however, sure of this; it was a point that deserved further consideration,

Mr. Sam. Thornton said, he thought the pressure of some of the taxes which had been opened that night, would very heavy upon the East India Company. If the right hon. Gentleman had no thought of alleviating them upon the subject of imports and exports, the tax would be much too severe with regard to the East India Company. He hoped the Minister had an intention to spare them. Indeed they ought to be spared upon the subject of exports and imports, when connected with the idea of an insurance, for their shipping protected itself. East India ships had been often used as ships of war. They did not benefit by convoy, as other ships did, and he therefore hoped he did not mistake in thinking that some alleviation would be thought of the East India Company.

The Chancellor of the Exchequer said, he wished not to be misunderstood. He alluded so generally to the bearing of the taxes which he had proposed that night, that it would be difficult for any body to say he had pointed out any class of persons on whom they would particularly fall. He had said nothing about taxing the East India Company more than any other body of men, nor did he say any thing about excluding them. He wished to be understood to stand in the situation in which he really was, that of having said nothing at all upon that subject.

Mr. Tierney said, that if this Loan was a proof of the high and flourishing situation of this country, if it was a proof of the confidence of monied men in its resources, all he could say was, he was very glad to hear it. He was afraid, however, that he must object to the Tax on Salt, as falling too heavily
on

on the lower classes of people. Whether it was so or not, in fact, it was worth while to consider whether they would think it so or not. Every thing at this time most particularly ought to be attended to that might prevent discontent in the lower classes. Salt was an article of direct necessity among them. He was, therefore, fearful a tax upon that article would occasion their discontent. Could he be satisfied that no such discontent would arise, the tax should have his immediate approbation.

Another tax which was proposed by the right hon. Gentleman was rather of a whimsical nature. It was calling for the payment of certain sums of money for the paintings and engravings of coronets, crests, and other marks of distinction.—He really never knew, until this moment, of the public utility of the right hon. Gentleman's having created so many Peers. He would, however, advise him to class the orders of distinction; to charge for instance, a certain handsome sum for a coronet, a smaller sum for a crest, and so on; by which the right hon. Gentleman might perhaps save the lower orders of society from any duty whatever. Indeed he trusted that these persons who possessed these distinctions would not have any objection whatever to bearing any burthens that might be reasonably imposed upon them for the purpose of sparing the lower orders of society.

Whether any thing was to be said or not on the subject of the Imperial Loan, he knew not. His Imperial Majesty (it was said) had neglected the consideration of that subject. He wished to know in what light he was to consider it. Was it, or was it not, a burthen to be borne by the people of this country? Or was his Imperial Majesty's memory to be improved upon that subject. He then called for some explanation on the deficiency of grants; as that subject had been opened that night.

The *Chancellor of the Exchequer* entered into an explanation on the subject of the deficiency of grants, and proceeded to take notice of the Imperial Loan. He observed, that as to the payment of the Imperial dividend his Imperial Majesty had hitherto neglected to perform his engagement. He did not mean to say such negligence was owing to any defect in the character of his Imperial Majesty, but certainly he did entertain a considerable degree of hope (he might be disappointed in that hope) that his Imperial Majesty did feel this an event which became him to make provision for. It certainly was a debt on our part solemnly to be discharged, but it was as solemn a debt on the part of his Imperial Majesty and he was very far

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at present from feeling any fear that his Imperial Majesty
would not discharge it. He did not chuse to say more upon
this subject.

Some other parts of the subject of this night's discussion had been taken up by the honourable Gentleman, who spoke last, in such a vein of good humour, that he should be sorry to do any thing to interrupt the effect of that disposition; and, therefore, he should say nothing at present to strengthen the observations he had already made in favour of the situation of this country. He must, however, defend the tax upon Salt, for he was not apprehensive it would produce the discontent which the honourable Gentleman conceived it would. As to his idea of making a distinction between the various degrees of armorial emblems, he was not sure he should not profit by the hint which the hon. Gentleman gave him. Indeed he hardly saw any objection to the plan. As to another part of the hon. Gentleman's observations, and which he stated also with much good humour, he must beg leave to observe that the hon. Gentleman's invention was fertile. He stated for him what he had not stated for himself, and then very ingeniously drew a conclusion from it. He said, that he, as Minister, advised his Majesty to create a number of Peers, for the purpose of raising a tax out of them; the hon. Gentleman gave him credit for an ingenuity that never occurred to him.

Mr. Tierney said, he meant that the creation of new Peers would be a benefit to the public, in case such a modification as he recommended took place. With respect to the Imperial loan, he had expressed his wish that a provision might be made to pay the interest upon it, as the time of payment was near at hand.

Mr. Folliffe said it gave him much greater pleasure when he could approve the measures of the hon. Gentleman, than when he was under the necessity of objecting to them, or offering any amendments. In the present instance he perfectly approved and applauded the whole of the measure. He thanked the right hon. Gentleman for his manner of making the loan; he approved the taxes; that on salt, he thought a judicious tax; it would universally be diffused, and but little felt by the labourer, because their consumption was not only small, but it was bought in such very small quantities, that they would not feel it. As to the tax on armorial bearings, he thought he had it in his power to offer a scheme which might assist the hon. Gentleman's project.

The

The resolutions were then severally put and agreed to. After which the Speaker resumed the chair, and the report was ordered to be received the next day.

Mr. *Jolliffe* then rose to move for the particulars of several accounts which had that day been laid on the table. It was a great misfortune, he thought, to the Minister, but certainly to those who wished to assist government, and to promote the credit of his administration, by suggesting such improvements of his measures as occurred to them, that the right hon. Gentleman should always suppose that they were decided enemies not only to his administration, but to all government. He assured him and the House, that he was not only a positive and decided friend to good government, but to this administration; and whenever he was under the necessity of offering any thing that might appear like opposition, it was to prevent him from hastily carrying an improper measure, or to suggest some improvement in the execution of a measure, the principle of which he might approve. That he never had and he never would mix personal and private considerations with public conduct. That whatever personal disaffection he might feel to the Minister, his administration would equally have his assistance and support; he begged the honourable Gentleman therefore to forbear attributing to him such motives, for he really did not feel that he had not generally supported him, and he should continue to do so let his private conduct be what it might.

The *Chancellor of the Exchequer* thought that the particulars of the accounts alluded to had already been sufficiently explained, nor did he conceive that any thing that had been passed out of the House between himself and that honourable Gentleman could possibly be supposed to actuate his public conduct.

Mr. *Jolliffe* was proceeding to state some reasons of a private nature, which he seemed inclined to insinuate did influence the conduct of the Chancellor of the Exchequer towards him; when he was called to order by the Speaker.

Mr. *Jolliffe* then moved, "that there be laid before the House the particulars of the estimate of the charges for embodying the Provisional Cavalry; and also of charges for the Volunteer Corps, and for foreign corps."

The motions were severally agreed to.

Mr. *Jolliffe* then moved for the particulars of the Army Extraordinaries ;

Which motion, after a few observations from Mr. *Pitt*, was withdrawn.

The other orders of the day were then deferred ; and the House adjourned.

HOUSE OF LORDS.

THURSDAY, *April 26.*

SCOTS APPEAL.

SMITH AND OTHERS *v.* NEWLANDS AND OTHERS.

Their Lordships resumed the consideration of this case, and Mr. *Grant* was heard at some length on the part of the appellants in reply.

The *Lord Chancellor* entered into a detailed legal statement of the case ; in concluding he observed, that it was one of very considerable importance in the Scots Law, and in the particular instance, he thought that the decision of the Court of Session was such as gave effect to the real intention of the testator. At the same time he doubted whether the decision was warranted by substantial grounds ; yet he did not feel himself prepared to propose the reversion of the decree, as he had been assured, from the most respectable authority, that such a proceeding might go to unsettle a great many settled estates, and produce very serious consequences. He should therefore propose to let the matter rest in the present instance with the Court of Session, to weigh well the question at issue, letting it remain unaltered on the part of that House. In the Scots Court the question might be more maturely settled. He begged pardon for detaining their Lordships on points respecting which he deemed the safest course not to move any proceeding.

The various bills before the House were forwarded in their respective stages. Among these was the report of *Twisleton's* Divorce bill, which was confirmed, and the bill ordered to be engrossed.

WILSON'S DIVORCE BILL.

The order for the second reading of the bill to dissolve the marriage of *Richard Wilson, Esq.* with *Ann*, his now wife, being read, counsel and evidence attended at the bar, in the usual way. The petitioner, Mr. *Wilson*, also attended, pursuant to the recent regulations of the House.

By

By the statement of counsel and evidence it appeared, that Mr. Wilson was married to his lady, the Hon. Ann Downes, in March 1779, and that in November 1795, she eloped from his house with Mr. Thompson. The sentence of the Ecclesiastical Court was proved, and also the proceedings in a Court of Law, by which Mr. Wilson was awarded 500*l.* damages.

The important fact of the adultery was proved by a young man, who lived with Mr. Wilson in the capacity of footman. He stated, that on the 10th of November, 1795, in consequence of suspicion being generally entertained among the servants and by himself in particular, of an improper intercourse between Mrs. Wilson and Mr. Thompson, he applied a ladder to the window of an apartment where the parties then were, and from thence, he said, after much previous toying and dalliance, he saw the act of adultery committed—this was in the evening of a Monday. On the following Friday the parties eloped from Mr. Wilson's house, and on the ensuing Sunday he disclosed what he had seen to his master.

This witness was briefly but pointedly cross-examined by the *Bishop of Rochester*, from which it transpired that the above proceedings took place at Mr. Wilson's house in Hertfordshire; that Mr. Thompson resided in a small cottage near the habitation of his master; that from the time of his first visit at Mr. Wilson's house till his elopement with Mrs. Wilson was about four months; he had dined there once or twice when he first came to the country, but never visited his mistress while Mr. Wilson was at home; that at the time of their detection, Mr. Wilson was absent in London. He remained in the service of Mr. Wilson about eighteen months after those proceedings; but that he had quitted him about a year ago, and now lived with Mr. Preston.

It being the wish of their Lordships to put a few questions to Mr. Wilson, that gentleman appeared at the bar.

It appeared from the statement of Mr. Wilson, that Mr. Thompson had rented a small cottage from him in the vicinity of his seat; that he understood Mr. Thompson was bred an attorney, but that he had married a woman of respectable connections; he believed they were in narrow circumstances; he had never any intimacy with Thompson, and but very little, if any, intercourse; he had invited him to dinner one or twice on Thompson's first coming down to his neighbourhood, and that he was never there afterwards by his invitation;

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invitation; and added, that he has never seen either him or
Mrs. Wilson since their elopement.

No opposition being made, the Bill was read a second time,
and ordered to be committed.

Four private Bills were brought up from the House of Com-
mons and read a first time; after which their Lordships ad-
journed till the next day.

HOUSE OF COMMONS.

THURSDAY, April 26.

The Bill for preventing any money being sent, or other
property transferred to persons residing in Switzerland, &c. was
read a third time and passed.

Mr. *Hobhouse* gave notice, that he should move on a fu-
ture day, that the House do take into consideration the peti-
tion of Mr. Palmer, relative to his claims on Government for
services at the Post Office.

The Bill for enlarging and improving the harbour of Leith
was read a third time and passed, on the motion of Mr. Dundas.

The Slave Carrying Bill was ordered to be committed to a
Committee of the whole House on Monday next, on the mo-
tion of Sir W. Dolben.

Mr. W. *Smith* gave notice, that on Monday next he should
move, That it be an instruction to the Committee on this Bill
that they do take the superficial or cubical contents of these
ships for carrying slaves as a criterion for the number they
should carry, instead of the tonnage, which is the present cri-
terion.

MILITIA REGIMENT BILL.

Mr. Secretary *Dundas* moved the order of the day upon the
Bill for better dividing the Militia into regiments, battalions,
and companies, and for the better appointment of officers, &c.

The order of the day being read,

Mr. Secretary *Dundas* expatiated at some length on the pro-
visions of the Bill; after which the Bill went into a Com-
mittee of the whole House; the report was ordered to be re-
ceived on Monday, and the Bill was ordered to be printed.

Mr. *Hobart* brought up the report of the Committee of Sup-
ply the preceding day. The resolutions were all read and a-
greed to.

• Vide Appendix:

Mr.

Mr. *Hobart* also brought up the report of the Committee of Ways and Means.

The resolutions* were all read a first time, and the question being put for their second reading,

DUTY ON SALT.

Sir W. *Pulteney* observed, that the operation of this tax would materially affect Scotland. Already the people of that country paid a duty on this article, and this additional duty would increase the expence of manufacture, which at present far exceeded that attending the manufacture of English salt. In Scotland the salt was made from salt-water, which, as it must be procured by a process of evaporation, always subjected the manufacturer to prodigious expence; in this country, rock-salt was principally used, and being easier mixed, was manufactured at a proportionably less expence. Another circumstance was, that the high price and inferior quality of Scotch salt, had given birth to an illicit traffic with Ireland, and the facility of smuggling from that country enabled the Scotch to carry it on extensively. As the law stood, no rock-salt could be imported from England into Scotland, but it was lawful to import it to Ireland. Thus were the Scotch liable to a complication of hardships. He owned, however, that the prohibition against rock-salt was occasioned by the Scotch themselves having objected to the importation, on the ground that it would injure their own manufactures. However, the truth was, that Scotch salt could not bear such a heavy duty. He, therefore, hoped, that some alteration would be made. He doubted the accuracy of the computation made the preceding day, of half a bushel of salt annually to each family among the lower order. A bushel of salt weighed 56 pound, thus, only 28 pound was allowed for the yearly consumption, and yet, in France, it appeared from the *Gabelle*, that formerly the allowance of salt to a family was from 24 to 27 pounds in the same period; and as French salt is about double the strength of English, he was of opinion that the allowance stated by the right honourable Gentleman (Mr. Pitt) was less by one half than the quantity really used; and consequently, instead of 2s. 6d. the tax would amount to 5s. annually on that order. With this view of the subject, he must think the right honourable Gentleman ought to endeavour, if possible, to render the tax less a burden than it threatened to prove.

The question for the second reading of the resolution was then put and agreed to.

Sir

Sir *John Sinclair* wished to know what security we had for the Irish Government providing for the two millions of the loan, so as to indemnify us from taxes to defray the interest of that sum.

The *Chancellor of the Exchequer* said, his Majesty was empowered to remit that sum from Great Britain on provision being made by the Irish Parliament for the payment, and there could be no great doubt of the Irish nation providing that security.

Mr. *Hawkins Brown* thought it was necessary to take care to prevent as much as possible any contraband trade to which so high a duty as that now proposed was undoubtedly a great temptation; especially in the western part of Scotland, where salt is used in immense quantities for the cure of various kinds of fish. He thought some regulations ought to be adopted with respect to the last-mentioned object.

The *Chancellor of the Exchequer* said, there would be abundant opportunities of making provisions upon these points in the progress of the Bill.

Mr. *Burrows* understood Sir William Pulteney to have wished that a law might be made for allowing the importation of salt from Ireland to Scotland. This, he said, would be an unwise and impolitic measure.

Sir *W. Pulteney*, in explanation said, that the idea of such a law had never entered his mind.

Mr. *Tierney* said, that although the sum of half a crown upon the bushel was but small, yet it might be found a very severe burthen. The Minister should remember the watch tax was no more. He would put an instance of hardship: suppose a poor man kills his pig and salts it, would not that be a very heavy expence to him after the duty shall have been imposed?

Mr. *Rider* observed, that this tax was a very moderate one. As to the observations of the honourable Baronet on the quantity of salt likely to be consumed from the statement of what was consumed in France, there was this observation to be made to it: the Farmers General of France did not compute what the party consumed, but what they chused to say he should pay for consuming.

The *Chancellor of the Exchequer* reminded the House that the tax would attach not to individuals, but to the manufacturer; and, therefore, whatever might be his wish to adopt the suggestions of the honourable Gentlemen, it must be seen that no general regulation could be made with safety to the revenue. The tax itself appeared to him to be one that would not be much

much felt : and much as it was to be wished that the lower orders might be lightly taxed, still the House would be wanting in their duty to the public, did they wholly debar themselves from making a moderate call even on this class. It was in the recollection of Gentlemen, that during the present war, every tax that had been imposed bore but little, if at all, on the lower orders.

Mr. *Tierney* admitted that the taxes had all been laid with great care not to burden the class alluded to. But the present tax would be particularly felt by a man, who, for instance had a large family, and might wish, as was much the custom, to salt a pig now and then for its use. He thought with Mr. Pitt, that no regulation could be easily adopted to exempt this class, but some equivalent class might be given up.

Mr. *Ryder* said, that already a tax of 3s. on houses had been given up, and this instance of the generosity of Parliament was no mean proof of the readiness with which every thing was done that might tend to better the condition of the lower orders.

Mr. *Tierney* replied that this had been yielded to them, not so much by the generosity as the justice of Parliament.

The next Resolution read was that imposing a duty on

ARMORIAL BEARINGS.

Sir *W. Pulteney* observed, on the resolution for imposing a duty on armorial bearings, that he hoped that if this tax was to be collected like that on clocks and watches and on hair powder, mere omissions should not be punished by such severe penalties, as those he had witnessed with regard to the hair powder tax.

The resolutions were then agreed to, and bills ordered to be brought in pursuant to the same.

The *Secretary at War* presented the Accounts moved for the preceding day, by Mr. Jolliffe.

Mr. Alderman *Lushington* brought up the Report on the Turnpike Bill, which was ordered to be printed.

Mr. *Rose* then brought up the Report on the Consolidated Assessed Tax Bills, to which he proposed several Amendments.

Sir *W. Pulteney*, and Mr. *H. Browne*, began to object to the clause for making the different parishes responsible for the accuracy of the collector's accounts ; when,

Mr. *Pierrepont* observed, that it was not decent to discuss a Bill of this importance when so few Members were present ; he therefore moved that the House be counted ; which being done, 21 Members only were found to be present, and the House was of course adjourned.

HOUSE OF LORDS.

FRIDAY, April 27.

Allowed the claim of the Marquis of Caermarthen to the Barony of Conyers. Adjourned.

FRIDAY, April 27.

Mr. *John Pitt* moved for leave to bring in a bill for the better encouragement of the art of Casting Busts, &c.—Granted.

Mr. *Hobhouse* said he should move on Tuesday se'nnight, that the House do take into consideration the agreement made between the Chancellor of the Exchequer and Mr. Palmer, relative to the Post Office.

The *Speaker* asked if the tendency of the motion was to allow a pecuniary reward to Mr. Palmer? Being answered in the affirmative, he said it was inconsistent with the practice of the House to entertain any such motion, without a recommendation from the Crown.

The *Chancellor of the Exchequer*, said he should not be authorized to give any such recommendation in this case; and he would at once state decidedly, that he had an unanswerable objection to any application that could be made to that House on behalf of Mr. Palmer. He should think it his duty, therefore, to oppose it.

The *Speaker* said, that as there was no recommendation from the Crown, the question could not be put.

Mr. *Hobhouse* said, he had already given notice that he intended to bring this matter forward. He would now do the only thing that was in his power regularly to do, namely, give notice, it was his intention to move an Address to the Throne upon this subject.

Mr. *Percival* moved that the bill for empowering Magistrates to allow costs in cases of Misdemeanours, be referred to a Committee up Stairs, instead of a Committee of the House, as the order stood at present; as also, that the order for committing the bill to a Committee of the House on Monday be discharged.

Mr. *Wilberforce* opposed the motion; upon which a short debate took place; the House divided.

For the Motion 44—Against it 60.

The House then agreed to the Amendments of the Committee on the Alien bill

Mr. *Jones* proposed a clause, the substance of which was, that the Secretary of State should take a security from every Alien or French emigrant in this country. He observed, that the Secretary at War had pledged himself for the loyalty and good conduct of the emigrants, although he thought there might be some bad men among them. This clause was intended to put his sincerity to the test.

The clause was brought up and read.

The *Secretary at War* said, he should have thought that this clause was intended merely as a joke. He reprobated the principle of it, as having a cruel tendency; and pronounced a
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warm panegyric on the emigrants, for their attachment to their Sovereign and Constitution, for their eminent talents and virtues; and trusted, that in this free country, such illustrious men would meet an asylum.

Mr. *Jones* said, that his main object was to separate the good from the bad. He observed, that there were 10,000 servants, Englishmen, out of place, and as many French employed; he thought that some attention ought to be paid to this circumstance. He had no object in view but the good of his country, and in that he was determined to persist.

The *Chancellor of the Exchequer* said, that the honourable Gentleman who spoke last, had taken a very strange mode of separating the good from the bad; for his measure of calling for security for them all, tended to confound good and bad together in one common and inextricable difficulty. He thought it a matter of pride to this country that it was distinguished from the rest of Europe in being an asylum to these illustrious characters; it was a proof of our independence, as well as our good-will towards those who had been cruelly driven from their own country for their virtues, and had not been permitted to remain in other parts of Europe; but had been treated in a manner that reflected disgrace on those who refused them protection. He observed, that the Emigrants had offered to take arms in defence of the country. He was confident they would not betray it, if they were entrusted with arms; and he was happy to bear his testimony of their merit. He was glad however, that their offer was not accepted, because our thousands and hundreds of thousands of Englishmen, were sufficient to defend their country. We could not be so ungenerous as to refuse protection to these Emigrants, nor would they be ungrateful. As to any Aliens, whether French or others, on whom any reasonable suspicion fell, Government would, of course, use its discretion with regard to them, in order to take care of the interest of this country.

Mr. *Martin* said, he always thought that this country had great merit for the manner in which the Emigrants had been treated. He applauded the motives of the hon. Gentleman who proposed the clause; but he hoped he had heard enough to induce him to withdraw it.

Mr. *Jones* said he had done his duty; if there should be any danger from thus encouraging foreigners, the fault would be the fault of the House, not his.

The clause was then withdrawn.

Lord *Belgrave* moved the order of the day upon the bill to prevent Treating at Elections.

The House resolved itself into a Committee of the whole House upon the bill; when several restrictive clauses were proposed by Mr. *Yorke*. Mr.

Mr. *Tierney* thought the new clauses of too much importance to be discussed in so thin a House, and moved that the Chairman do report progress, and ask leave to sit again.

The House divided on this Motion—

Ayes — — 19 *Noes* — — 30

It was next moved, That the new Clauses be brought up; upon which the House again divided—

Ayes — — 30 *Noes* — — 19

A motion was made to count the House, and only 35 Members being present, it adjourned.

HOUSE OF COMMONS.

SATURDAY, *April 28.*

The Scots Militia Bill was read a second time, and ordered to be committed on Monday, on the motion of Mr. W. Dundas.

The Election Treating Bill was ordered to be committed on the motion of Lord Belgrave.

Mr. *Rose* brought up the bill for raising seventeen millions by way of annuities. Read a first time, and ordered to be read a second time on Monday.

He brought up also the Bills for granting an additional duty on Salt, and an additional duty on tea. Read a first time, and ordered to be read a second time on Monday.

Mr. *Rose* moved that the act of the 37th of George the Third, chapter 15, relative to the duties on Customs be read; which being done, he moved, that on Monday the House do resolve itself into a Committee of the whole House, to consider so much of the said act as charges a duty imposed on tea imported into this kingdom.

An account was laid before the House of all Exchequer Bills outstanding on the 5th of April, 1798, distinguishing the dates thereof, and the interest due on the same. Ordered to be laid on the table. Deferred the other orders of the day. Adjourned.

HOUSE OF LORDS.

MONDAY, *April 30.*

Their Lordships were engaged for some time in the dispatch of private business; after which the several bills before the House were forwarded in their respective stages.

Two private Bills were brought up from the House of Commons, and read a first time; when their Lordships adjourned.

HOUSE OF COMMONS.

MONDAY, *April 30.*

Mr. *John Ritt* brought up a Bill for the better encouragement of the art of new models and casts of busts, &c. Read a first time, and ordered to be read a second.

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The resolutions were then severally put and agreed to. After which the Speaker resumed the chair, and the report was ordered to be received the next day.

Mr. *Jolliffe* then rose to move for the particulars of several accounts which had that day been laid on the table. It was a great misfortune, he thought, to the Minister, but certainly to those who wished to assist government, and to promote the credit of his administration, by suggesting such improvements of his measures as occurred to them, that the right hon. Gentleman should always suppose that they were decided enemies not only to his administration, but to all government. He assured him and the House, that he was not only a positive and decided friend to good government, but to this administration; and whenever he was under the necessity of offering any thing that might appear like opposition, it was to prevent him from hastily carrying an improper measure, or to suggest some improvement in the execution of a measure, the principle of which he might approve. That he never had and he never would mix personal and private considerations with public conduct. That whatever personal disaffection he might feel to the Minister, his administration would equally have his assistance and support; he begged the honourable Gentleman therefore to forbear attributing to him such motives, for he really did not feel that he had not generally supported him, and he should continue to do so let his private conduct be what it might.

The *Chancellor of the Exchequer* thought that the particulars of the accounts alluded to had already been sufficiently explained, nor did he conceive that any thing that had been passed out of the House between himself and that honourable Gentleman could possibly be supposed to actuate his public conduct.

Mr. *Jolliffe* was proceeding to state some reasons of a private nature, which he seemed inclined to insinuate did influence the conduct of the Chancellor of the Exchequer towards him; when he was called to order by the Speaker.

Mr. *Jolliffe* then moved, "that there be laid before the House the particulars of the estimate of the charges for embodying the Provisional Cavalry; and also of charges for the Volunteer Corps, and for foreign corps."

The motions were severally agreed to.

stitutional jealousy with which the Militia law was originally framed. He observed also, that in many respects, the principle of that law had been departed from, in the enactments of subsequent statutes upon that subject, and was still further departed from in the present Bill. He thought that the qualification of the superior officer should be different from what the present Bill required. He said none of these things from any distrust that he had in any part of our military force, nor from any want of confidence in his Majesty's Ministers; he only made the observations merely to call the attention of the Committee to the true nature of the subject.

Mr. *Secretary Dundas* said, he had great respect for the honourable Member who had just spoken, both for his character and situation. He was perfectly ready to move for leave to withdraw this Bill altogether, and to propose nothing whatever for the regulation of the Militia, provided that honourable Gentleman could get any four Members of the House to join him, and meet together, and bring forward any proposition whatever, which they would flatter the House would have any general concurrence. But before the Committee dismissed the Bill now before them, they would do well to recollect that this was not a Bill for the regulation of any particular corps, but for a large establishment, three times as large and much more unwieldy than any Militia that was known before in this country. It was a measure of necessity from the extraordinary situation in which we stood. It was not a permanent measure, for it was to continue only during the war. Permanent regulations might be made upon the subject of the Militia in time of peace. He thought there would be no constitutional jealousy against the measure that had for its object the regulation of a force for the defence of the country during war. He then went over the most material parts of the Bill, and pointed out their use. If, however, any better plan than this could be adopted, he was perfectly ready to give up this, and wait any length of time for another (if the enemy was ready to do the same thing) provided any body had another to offer.

General *Parleton* thought many of the observations of the honourable Gentleman who commenced this conversation quite constitutional; but he did not think they were well timed. We should not now look at any thing but the crisis in which we are. To look at the situation of this country, and of the enemy, to support his Majesty's Ministers in every measure that tended to strengthen the country; and to enable it to prepare for the enemy, was the great duty of that House at the present

present moment. Arrangements of various kinds he hoped to see made at the conclusion of the war.

Colonel *Sloane* was of opinion also, that the crisis in which we are was chiefly to be looked to; and we should make our military force as powerful as possible, and that without loss of time.

Mr. *Bastard* was of opinion, that a sufficient number of persons might easily be found to act as subalterns; and if there was a want of field-officers and captains, it must be owing to the colonels of the Militia, or the Lords Lieutenants.

A clause was brought up and agreed to, that if a sufficient number of officers can be found in the counties, qualified as the law directs, who shall offer themselves within fourteen days after the passing of the present Bill, the Lords Lieutenants shall have power to appoint the same. The other clauses being read and agreed to, the report was ordered to be received the next day.

CONSOLIDATED ASSESSED TAX BILL.

The House having then resumed the debate on the third reading of the Consolidated Assessed Tax Bill,

Sir *William Pulteney* rose, and moved as an amendment to the Bill, that it be allowed to vary, alter, and amend the said Bill during the present session of Parliament. This amendment was agreed to.

Mr. *Wigley* then moved, that such persons as had horses employed in the Provisional Cavalry, should not be obliged to pay the triple tax for those which they keep in lieu of the horses so employed.

Colonel *Porter* supported the amendment; which was opposed by Mr. *Rose* and Mr. *Buxton*, after which the House divided,

<i>Ayes</i> , for the amendment,	18
<i>Noes</i> ,	30

Sir *William Pulteney* next moved, that those who had made a fair return of their assessed taxes, according to the Bill introduced last year, should not now be obliged to give in a new list to the Commissioners of taxes, as is required by the new Bill.

Mr. *Rose* opposed this amendment; and complained bitterly of the evasions that have been resorted to by persons keeping carriages and horses, &c. &c. which evasions considerably contributed to aggravate the burthens that already weighed sufficiently heavy on the people at large. The mode proposed by the present Bill was, in his mind, the only one that could make it effectual,

Mr.

Mr. *Wibberforce* was of opinion that the regulations of the original bill should be strictly adhered to, as it would otherwise oblige Government to encourage spies about the houses of great men, and thus tend to establish a system of *espionage* to which he could never lend his countenance and support.

Mr. *Dickens* approved of the amendment. The gallery was then ordered to be cleared; but Sir William Pulteney's amendment was agreed to without a division.

The bill was then engrossed, read a third time, and passed.

SLAVE CARRYING BILL.

The Order of the Day being read for the House to resolve itself into a Committee on the bill for regulating the mode of carrying slaves.

Mr. *Wm. Smith* rose and said, that on this subject he had flattered himself that there prevailed but one opinion in the House; for he had understood that though the tonnage had been acceded to as a proper criterion for ships carrying slaves, that criterion had nevertheless been acknowledged as inadequate; and the more closely it had been examined, the more evident it appeared that the superficies of the deck, or the cubical contents between the decks was a far safer criterion. This was obvious from duly attending to the construction of two vessels, which, though they were of different capacities, one might be able to carry double the quantity of goods, and still not have more tonnage than the other. When this subject was discussed last year, there was scarcely heard a dissentient voice against the truth of the observation. The opinion of the House had since, it seems, varied, by which his expectations were highly disappointed; for an opposition, he understood, was now to be made against the proposition, and those who were most deeply embarked in the trade seemed determined to keep it up on its ordinary footing. He would, however move, that it be an instruction to the Committee to whom the said bill was referred, that they be empowered to limit the number of slaves to be carried, according to the superficial capacity of the decks, or the cubical contents between decks, and not according to the tonnage of the ships so employed.

Mr. *Dent* felt himself disposed to oppose the present motion; because it appeared to him to be an indirect and insidious attempt immediately to stop, and wholly to abolish the Slave Trade; an attempt, which though already made this

this Session in a fair, manly and open manner, had, however, met with the fate it deserved. He would therefore move, that the House do now adjourn.

Mr. *Wiberforce* made no doubt but that it must be the wish of every man that the slaves should be carried in the most easy and comfortable manner possible. The mode now proposed seemed to promise that better convenience; it should therefore have his most cordial support.

Mr. *Dent* explained.

General *Tarleton* said, that it was with regret that he opposed a motion like the present; in as much as it promised more comfort and convenience to the slaves; but he heard no new argument introduced to support its necessity; on the contrary, he must regard the introduction of the cabined superficies as tantamount to an immediate abolition of the trade, and as wholly destructive of the hopes which the late decision of the House on this subject had held out to the merchants, who were deeply interested in this trade, as were those of Liverpool, Bristol, and London.

Colonel *Gascoigne* was happy to coincide in opinion with his honourable Colleague.

Mr. *Martin* spoke shortly in support of the motion.

Mr. *Barham* approved of the measure, as it went to diminish the number of slaves, and to secure their comfort and convenience during the voyage. To such measures he would always assent; and if all other motions respecting the Slave Trade had been similar to the present, they should likewise have had his hearty concurrence.

Mr. *Setwell* opposed the motion; and contended that the sufferings and mortality to which the slaves were said to be exposed, was on an average greater on the side of large ships than on that of smaller ones.

Lord *Belgrave* wished the business might be deferred, as had a motion of greater importance (that on the Treating Act) to bring forward that night.

Mr. *Wm. Smith* said a few words in explanation; after which the House divided on the motion for an adjournment.

Ayes	—	—	—	—	18
Noes	—	—	—	—	34

Majority 16

Mr. *Smith's* motion was consequently carried, and was ordered to be referred to the Committee, on Friday next.

On the motion of Mr. *Percival*, the Committee on the bill

bill for payment of costs, in cases of misdemeanors ~~were~~ gone into, and the Committee was ordered to sit again on Thursday next.

The Committee on the Treating Act, was deferred till the next day.

The other Orders of the Day were then deferred; and the House adjourned.

HOUSE OF LORDS.

TUESDAY, May 1.

WOODMASON'S DIVORCE BILL.

On the question for the second reading of the Bill to dissolve the marriage of James Woodmason, Esq. with Mary Magdalain, his now wife, being read—counsel and evidence in support of the same were called to the Bar.

By the statements of these it appeared, that the Petitioner, Mr. Woodmason, was married to Mary Magdalain Gaville, (a native of France) but then residing in the parish of Paddington—in February 1772, and that they lived and cohabited together until September 1796, during which interval they had ten children; two only of whom are now living. That at the last mentioned period (Mrs. Woodmason being at that time at St. Amand, in Flanders) a serious disagreement took place between them, in consequence of the Lady's neglect of one of the children, when a separation took place, and an end was put to the intercourse of the parties. Mrs. Woodmason retired to the House of her father, M. Jean Jacques Gaville in Paris, who consented to receive her.

It appeared also, that in the month of June 1796, Mrs. Woodmason sued for and obtained a divorce according to certain laws and regulations then newly made in France; and in April she married a person of the name of Joseph Antonie Guibert, and lived with him as his wife, at his house in Paris: in consequence of which, Mr. Woodmason exhibited a libel against her in the Ecclesiastical Courts in this country, in November, 1797, and in the month of March in the present year, obtained a definitive sentence of divorce thereon, from bed and board.

The necessary parts of this statement being regularly proved by the witnesses, one of whom deposed, that he had seen Mrs. Woodmason, and the abovenamed Guibert in bed together, the bill was read a second time, and ordered to be committed.

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The various bills before the House were forwarded in their respective stages.

Mr. *Hobart* presented from the House of Commons the Swiss Property Bill, and the Customs Office Regulation Bill, which, with one private bill that was brought up afterwards, being read a first time, their Lordships adjourned till the next day.

HOUSE OF COMMONS.

TUESDAY, *May 1.*

Mr. *Boddington's* Divorce Bill was read a second time, and ordered to be committed to a Committee of the whole House on Thursday se'ennight.

Mr. *Burdon* having expatiated on the public inconvenience of granting with too much facility the renewal of Patents in certain cases, moved a resolution, that before any petition be presented to the House for confirming or prolonging any Letters Patent, notice of the intention to present such petition be published three times in the London Gazette, and three times in the Edinburgh Paper, when the matter relates to Scotland, stating the nature of the intention for which the patent is granted, and the term of its duration, &c. Ordered.

That then a Committee do report to the House, whether this order hath been complied with, before any order shall be made on such petition. Ordered.

That this Resolution be made a standing order of the House. Ordered.

JUDICATURE IN IRELAND.

Mr. *Tierney* said, that the Newspapers had mistated the circumstances of a case, in the Court of King's Bench, in Ireland, and which led him into an erroneous statement in the House a few nights ago; and in consequence of which he said some something of a learned judge which he should not have said, had the statement in the newspapers been conformable to fact. He alluded to the case of Mr. Roger O'Connor, from whom a letter was sent to him; and from which he would read an extract for the satisfaction of the House. The substance of the extract was, that Mr. O'Connor thanked him for the kind manner in which he had spoken of his case in the House of Commons; but observed, that the statement he made of the conduct of Mr. Justice Finucane was incorrect; for that the conduct of that learned

Judge, on the trial of Mr. O'Connor, was perfectly correct and honourable. Mr. Tierney then said, he was glad to do justice to the liberality of the learned Judge upon the trial alluded to; and he was glad also to do justice to the candour of Mr. Roger O'Connor in making this statement, to enable him to do justice to the character of the learned Judge; a proof of the disinterested spirit of Mr. Roger O'Connor for he had never before this written to him any letter. Most certainly, after this, the character of the learned Judge was entirely unimpeachable.

Mr. *W. Bird* moved the Order of the Day on the Land Tax Commissioners Qualification Bill; which passed the Committee of the whole House; and the Report was ordered to be received on Friday.

The Scotch Militia Bill passed a Committee of the whole House; and the Report was ordered to be received the next day, on the motion of Mr. W. Dundas; as did also the Election Treating Act; and the Report was ordered to be received on Friday, on the motion of Lord Belgrave.

MAROONS.

General *Walpole* then called the attention of the House to the subject of Maroons, of the island of Jamaica. He said, that he had been the instrument by which these brave and honest men, the Maroons, had been duped and entrapped into a treaty in his Majesty's name; every article of which the Maroons observed faithfully; but the whole essence of which was entirely defeated and laid aside by the Assembly of the island of Jamaica. He little suspected, at the time he held out terms to the Maroons, on the faith of which they surrendered, that he was to be made the instrument of carrying on a scheme by which they were so shamefully betrayed. He held it to be of essential interest to all his Majesty's dominions, that the name of the King of Great Britain should never be pledged by any of his Officers to any thing which was not to be carried into effect; but here it had been so; and the brave and gallant Maroons were made the victims of the pride and jealousy of the Assembly of the island of Jamaica. In no instance were the Maroons guilty of the violence imputed to them, that was an unworthy artifice made use of to inflame the passions of men against these deluded people. He then recited the circumstance of the war with the Maroons, the terms which he was empowered to hold out to them, and which he did hold out to them, in his Britannic Majesty's name,

name, on the faith of which they surrendered, at a time, and under circumstances, when no force could subdue them; for they were a gallant people, impressed with a strong sense of their natural rights; and observed, that after they had surrendered, the Assembly of Jamaica, instead of adhering to the terms of the surrender, came to a resolution to transport them to Nova Scotia. That he protested against this, and offered to give his own testimony to shew that the Maroons did not deserve this treatment; but that they merited all the terms of the surrender, which were not that they should be thus transported from their native soil, and a warm climate, to a cold one; but that they should be protected; that the Assembly of Jamaica refused to take his testimony, but proceeded upon *ex parte* evidence, and transported these men without hearing any thing that could be said in their behalf. Such proceedings he conceived to be highly injurious to the British name, and dangerous to the British settlement; and therefore the House of Commons ought to take it into serious consideration. He then moved, "That this House do, on Friday se'nnight, resolve itself into a Committee, to take into consideration the proceedings held on the negotiation entered into between Major General Walpole, and the Maroons of Trelawny Town, in December 1795."

Mr. *Secretary Dundas* said, that when the hon. Gentleman alluded last year to this subject, he did not then state any intention of making a further inquiry into it, provided he was satisfied that the Maroons had been treated with humanity and attention. The hon. General surely could not have forgotten the declaration he made last year, nor could he contend that his present conduct was in any degree consistent with that declaration.—The conduct of the hon. General was much more consistent last year than it was at present, because he then expressed his anxiety to be informed of their situation, and said, that if his information was satisfactory, he did not mean to push the inquiry any farther; But what was his conduct now? He wanted to institute an inquiry into the conduct of the Island of Jamaica, in an affair relating solely to the internal concerns of the island. Suppose for a moment, that House should concur with the hon. General in his motion, he did not see how they were to proceed: Did the honourable General propose to bring the Assembly of Jamaica before the bar of the House of Commons of England? He had spoken of proceeding *ex parte* against the Maroons; but it would surely be as unfair to investigate the

conduct of such a body as the Assembly of Jamaica, upon *ex parte* statement.—Yet that must be the intention of the hon. General, for he could not suppose the Assembly of Jamaica could appear at the bar of the House of Commons by Friday se'nnight. He wished therefore very much that the hon. General would explain what possible line of proceeding he could adopt, supposing his motion was successful? With respect to the pledge which the hon. General had said that government had given upon this subject, he could only say, that government had given no pledge, they had stated, that they would make an inquiry into the situation of the Maroons. To satisfy the hon. General, both as to the fact of government having made the inquiry; and as to the result of that enquiry; he should refer him to the papers which had been laid upon the table of the House. Every Gentleman who examined those papers must be satisfied that the Maroons had experienced no want of attention, on the contrary, the utmost care was taken of their religion, of their morals, of their property, of their habitations, and of their children. Upon any of these facts, no man could entertain a doubt, unless they disbelieved the return which had been made by the governor of Nova Scotia. He begged leave here to say a few words respecting that gentleman. He had not the honour of being personally acquainted with him; he had only seen him once before he went out in his present station, but from what he had uniformly heard of his abilities, of his attention, and of his humanity, he had considered himself as bound to recommend him to his Majesty, as a proper person to fill that important office; and every part of Sir John Wentworth's conduct since he went out, had completely justified the appointment. If there were any proofs wanting to prove, that the gentleman he was alluding to, possessed those qualifications, he need only refer to the correspondence before the House, which must satisfy every gentleman upon that subject. He desired to ask what possible interest the governor of Nova Scotia could have in having a body of people, who were not very far removed from a savage state, placed under his care? or what possible interest could he have in disobeying the orders he had received from the Duke of Portland, to treat these people with care and humanity? He wished any gentleman would fairly compare the situation of the Maroons, while in Jamaica, with their present situation, with all the care and attention that was paid to them. If they were to make comparisons, he did not really think

think that the humanity of the assembly of Jamaica, or of the Governor of Nova Scotia, would suffer much by being compared with that of the honourable General. Mr. Dundas then proceeded to read a letter from General Walpole to Lord Balcarras, in which he proposes to settle the Maroons in the Lowlands, near Spanish Town, and adds, that the use of the spirits which they would then get, would soon enervate that hardy constitution which they had acquired on the mountains. This was the way in which the honourable Gentleman proposed to serve them, and he believed the House would be inclined to think there was more humanity in placing them in a situation where their health and their morals were attended to, than by destroying both, by giving them an opportunity of indulging in the use of spirits. Upon these grounds he hoped the House would concur with him in thinking that they ought not to concur in the present motion.

The question being put,

Mr. Tierney rose, and observed that the complaint of his honourable Friend had not been answered. He had stated himself to be an officer in his Majesty's service; that he had treated in his Majesty's name for, and had had the good fortune to obtain peace with the Maroons. That the Maroons complied with the terms of the treaty; but that the assembly of Jamaica had not adhered to the terms of the treaty; that the Maroons were entrapped into a surrender, and then were taken into a cold climate to which they were not accustomed; and that in direct violation of the terms of the treaty. He disapproved of the conduct of the assembly of Jamaica, in refusing to hear the testimony of General Walpole, in which they were not very consistent with themselves; for they had voted that five hundred guineas should be granted for purchasing a sword, to be presented to General Walpole, for suppressing the late rebellion in Trelawney Town, and concluding peace with the Maroons. Mr. Tierney then enlarged on the dangerous effect of the assembly not being faithful to the conditions of the treaty. He observed, that the Secretary of State had shifted the question, by taking a view of the excellent character of Governor Wentworth; that Gentleman, he was ready to admit, deserved all that was said in his praise; but it was not his conduct, it was the conduct of the assembly of Jamaica that was complained of; and as to the idea that the assembly could not state to the House any thing for themselves, it was well known they had, in that House, a person who watched over their interests, and who was perfectly ready to explain

explain any thing in their behalf. He concluded with observing, that an enquiry was necessary in this case in that House, for it should be known authentically to whom was to be attributed the fault of having broken the terms of a treaty solemnly entered into in his Majesty's name.

Mr. *Stowell* justified the conduct of the assembly of Jamaica, and said, that what they did with regard to the Maroons was an act of prudence which circumstances rendered necessary. He observed all the Maroons were not transported, but all who surrendered before the first of January were permitted to remain, and that those who did remain acknowledged their error. That with regard to the assembly not having examined General Walpole, he could only say that nothing he could say would alter the facts as they appeared by his own correspondence,

Mr. *Barham* was so far from being adverse to going into the proposed enquiry; that, on the contrary, he was of opinion that the more minutely the subject was investigated and scrutinized, the fuller would be the answer to the honourable General's observation, and the more complete the refutation of all his arguments. To shew that this was a true statement of the case, it would suffice to recur to the honourable General's own correspondence. From this it would appear that a treaty had been agreed to between the honourable General and the Maroons. But according to the opinion of the assembly at Jamaica (the sole tribunal that can be referred to on this point, and from which he did not see how the honourable General could consistently appeal), this treaty had been completely forfeited by the Maroons. Nor can it indeed be supposed that the treaty alluded to could be regarded as binding, for military operations were carried on till the 11th of January, though the treaty purports to have been signed on the 21st of December preceding. Even new negotiations were carried on and kept open long after this treaty, which is supposed to have been binding, is asserted to have been concluded. The Maroons were even permitted to come in and surrender till the first of January, and no terms were granted them, according to the honourable General's own terms, but their lives. The same terms seem to have been held out by Lord Balcarras, from which it was evident that the treaty had been completely forfeited by the Maroons; and in order to vindicate the character of that noble Lord, it was his intention soon to submit a motion to the House.

Mr. *Tierney*, in explanation, contended, that the Maroons who came in and surrendered after the first of January, had been

been completely entrapped ; because they had come in under the faith of this treaty, the terms of which however, were not adhered to. Mr. Tierney was proceeding to prove his assertion from several letters of the honourable General, when he was called to order by the Speaker, who observed, that he was wandering from the strict line of explanation.

Mr. *Barham* contended, that the letters alluded to would prove the very contrary.

General *Walpole* in reply, explained his various proposals to the assembly at Jamaica, and entered into a variety of proofs, to shew that the Maroons had not forfeited the treaty. He then began to reprobate the cruelty of sending them from the most ardent influence of the torrid zone into the coldest climates of North America, and personally adverted to Mr. Sewell, as the worthy advocate of such inhuman treatment.

(He was here called to order by the Speaker.)

Upon which he apologized for the language into which his warmth was beginning to betray him ; but he could not sit down without observing that, when the humanity of the assembly of Jamaica was put in competition with that of those who opposed them in the present question, it reminded him of the motto given to the Club of Grinners ; and, if the praise of humanity was to belong to the Jamaica assembly, it might be truly said of them, as of the Club alluded to—*Detur tetriciori*.

The question was then put on General Walpole's motion ; when the House divided :

Ayes 5 *Noes* 34 *Against* it 29

The Loan Bill was committed, and the report ordered to be received the next day.

The *Chancellor of the Exchequer* said, that as there was a Bill now in the Committee (the Land Tax Bill) which would probably occupy two days discussion, he thought proper to give notice, that he would the next day move, that the order of the day for taking into consideration the Tewkesbury election Petition, on Thursday next, be discharged.

The third reading of the Alien Bill was deferred till the next day ; also the third reading of the new tax Bill on houses, windows, &c. &c.

The other orders of the day were then disposed of, and the House adjourned.

HOUSE OF LORDS.

WEDNESDAY, May 2.

SCOTCH APPEAL.

Heard counsel in a cause wherein James Robertson, of Lude, Esq. was appellant; and his Grace the Duke of Athol respondent. Ordered the decree of the Court of Session to be affirmed, with 100*l.* costs.

Three Bills were brought up from the Commons, and read a first time.

In a Committee, the House went through Woodmason's Divorce Bill.

Read the other Bills on the table, and then adjourned to the next day.

HOUSE OF COMMONS.

WEDNESDAY, May 2.

The Scotch Militia Bill was reported, and ordered to be read a third time the next day, if then engrossed.

The report of the Committee appointed to enquire into the best mode of improving turnpike roads near the metropolis was brought up, and the resolutions read; after which a short debate took place between Mr. Pole Carew and Mr. Alderman Lushington, on the last resolution, the former Gentleman opposing, and the latter supporting the resolution, the House divided,

<i>Ayes</i> (For the resolution)	45
<i>Noes</i>	14

Mr. *Tierney* gave notice, that he should call the attention of the House the next day, to the conduct of Lord Onslow, Lord Lieutenant of the county of Surry, with respect to the reception of officers who tendered voluntary services for the defence of the country.

Mr. *Hobart* brought up the report of the Bill for granting an additional duty on tea; the amendments were read, agreed to, and the Bill ordered to be read a third time the next day, and then engrossed.

LAND TAX.

The *Chancellor of the Exchequer* said, he found it would be exceedingly to the convenience of Gentlemen if the discussion of the Land Tax Bill was not to be entered into as he intended that night; there were numerous clauses to be offered to the Bill

Bill in the Committee, the discussion of which would take up considerable time; he thought, therefore, that the better way would now be to go into the Committee, and fill up the blanks *pro forma*, and take the matter into the further consideration of the House upon the report at a future day, and to recommit the Bill on that day. So much yet depended upon detail in this measure, that he believed the mode he proposed would be more satisfactory to the House than that of entering into the detail now; he should, however, not follow that plan if he was given to understand that any opposition was now to be made to the Speaker's leaving the chair. Gentlemen would have an opportunity upon the question for the recommitment of the Bill of making any opposition to that motion as they had at this moment.

Mr. *Jolliffe* said a few words.

Sir *John Sinclair* said, he should not object to the Speaker leaving the chair, understanding that the Bill was to be recommitted and the amendments printed.

Sir *William Pulteney* wanted to know at what time those who disagreed to the principle of this Bill were to state their objections, if the Bill was now to go into a Committee.

The Speaker observed, that if the House should acquiesce in the measure proposed by the right honourable Gentleman, the Bill might be recommitted, and then an opportunity would be afforded for taking the sense of the House on the question, for the Speaker's leaving the chair, in the same manner as if it was to be taken now, upon that question.

The *Chancellor of the Exchequer* said, that if the House should go into the Committee now, and fill up the blanks as he proposed, he should move that this Bill be taken into further consideration on Monday next, otherwise he could not name a day so early.

Mr. *Balford* said a few words, to assent to the mode proposed.

The *Chancellor of the Exchequer* then said, that as this measure was to take this turn, he should not move, as the preceding day he intended, to postpone the ballot for a Committee on the Tewkesbury election.

The House then resolved itself into a Committee of the whole House, upon the Land Tax Bill.

The *Chancellor of the Exchequer* said, that there was one point to which he wished to call the attention of the Committee at this time. He stated the price at which he should propose the land tax to be redeemed by the owners, to be twenty years purchase. With regard to the purchase of the land

tax by third persons, he proposed to make no alteration; but as to the purchase by the owners of the land, he should propose, that they should be allowed to buy at 18, instead of 20 years purchase, when Stocks were at 50.

After a few words between the Minister and Mr. Hussy, the blanks were filled up; and the House being resumed, the report was ordered to be taken into further consideration on Monday next.

The House, in a Committee of Ways and Means, voted the sum of 62,725l. being the amount of money paid by the Receiver-General of the Land Tax, to the Governor and Company of the Bank of England, towards payment of the Army, and Navy, &c.

The report was ordered to be received the next day.

The Alien bill was read a third time, and passed, on the motion of the Solicitor General.

The Speaker gave notice, that as the next day was a day for a ballot, he should take the chair at half after three, and count the House precisely at four o'clock.

The additional Assessed Taxes bill was read a third time.

A clause was proposed by Mr. Rose, to empower the commissioners upon appeal, to apply to the judges for assistance in case of doubts in point of law; which, after an amendment was made to it, by Sir W. Pulteney, directing that the appellant shall have notice of the intention to apply to the judges, was adopted.

The bill was then past.

The House and Window Tax bill was read a third time, and passed.

Mr. S. Thornton gave notice, that he would on a future day make a motion for prohibiting the trading in slaves in the northern district of the coast of Africa.

On the motion for the House to resolve itself into a Committee on the additional tax bill on Salt;

Mr. Tierney said, that he felt bound in conscience to oppose it, because, if it was to receive no qualification, it must press exceedingly hard on the lower classes of the people, who were already more burthened than they could well bear by the tax on Soap and Candles.

The bill was then committed, and the report ordered to be received the next day.

Mr. Ryder moved that it be an instruction to the Committee on the Newfoundland Fishery bill, that six-pence additional

ditional duty be paid on every gallon of rum to imported from the West-Indies into Newfoundland.

Mr. *Jeffery* (of Poole) objected to the motion, and contended, that of all the trades and fisheries belonging to that country, there were none in so depressed and ruinous a state as those of Newfoundland; it was, therefore, impossible they could bear any additional imposition of duty.

After a few words from Mr. *Ryder* the House divided on this motion.

Ayes 5 Noes 43

The other orders of the day were then deferred, and the House adjourned.

HOUSE OF LORDS.

THURSDAY, May 3.

PEERAGE OF BELHAVEN AND STENTON.

The House resolved itself into a Committee of Privileges, Lord *Walsingham* in the chair.

The consideration of the claim of William Hamilton, of Wisshaw, in the county of Lanerk, Esq. to the above-mentioned peerage, was resumed.

Evidence was adduced in support of the claimant's pretensions, and a variety of witnesses were examined in that view. The only documentary evidence brought forward, was a pedigree of the claimant, which was stated by one of the witnesses to have been found among a parcel of old papers, lumber, &c, in a house of one of the relatives of Mr. Hamilton.

The *Attorney General*, on the part of the Crown, observed, that he should certainly object to the admissibility of the pedigree in question, as evidence.

Their Lordships wishing to defer hearing the arguments of counsel, on this point, to a future opportunity, it was moved, that the further hearing of the case be postponed till Tuesday next, which was ordered by the Committee, and the House resumed accordingly. Several bills were brought up from the Commons; and the bills on the table were forwarded in their various stages.—Adjourned.

HOUSE OF COMMONS.

THURSDAY, May 3.

Mr. *Hobart* brought up the report of the Committee upon the bill for an additional duty upon Salt.

The amendments were read.

Mr. *Tierney* thought that this bill would be injurious to the bakers, as well as to the lower classes of society, and therefore he suggested the propriety of postponing it for two or three days, to afford an opportunity of hearing what was to be urged against it.

The *Chancellor of the Exchequer* said, that he had a conference with a number of the most respectable of the trade alluded to, and he had the pleasure to inform the House that an expedient had been suggested, which would be perfectly satisfactory to both parties. The Lord Mayor of London was to have moved the matter that day, under the head of regulation of the Assize of Bread, but from his avocations he was prevented from attending that day in the House; most probably he would move it the next day. It was better to have the subject regulated by a separate bill, than introduce any provision for it in the present.

Mr. *Tierney* said this explanation was satisfactory to him in this particular.

Mr. Alderman *Combe* said, he had not the honour of being consulted upon this matter; but he understood that the Bakers Company had had an interview with the Chancellor of the Exchequer, and something was agreed upon between the parties.

The amendment of the Committee were then agreed to, and the bill was ordered to be read a third time the next day, if then engrossed.

The report of the Committee of Ways and Means of the preceding day was brought up, the resolution read and agreed to.

Mr. *Tierney* observed, that he gave notice the preceding day of a motion relative to the conduct of the Lord Lieutenant of the county of Surrey, with regard to accepting the services of those who tendered themselves to serve their country; but understanding, from many friends of Lord Onslow, that they had his authority to say he should receive a letter from that noble Lord, explaining the whole of the circumstances of that transaction, he should defer his motion. He did not wish to take any step before he had received that letter. He should hope that the letter would render his motion unnecessary, and therefore he should now defer it.

The Committee were appointed to try the merits of the Tewkesbury election.

Deferred the other orders of the day.—Adjourned.

HOUSE

HOUSE OF LORDS.

FRIDAY, May 4.

The several bills before the House were forwarded in their respective stages.

Mr. *Rose* presented from the House of Commons a bill for granting to his Majesty an additional duty upon Salt, which was forthwith read a first time.

Two private bills were also presented, and severally read a first time.

Their Lordships then adjourned till Monday.

HOUSE OF COMMONS.

FRIDAY, May 4.

Mr. *W. Boote* brought up the report of the Committee, to whom it was referred to consider of the prisoners of war.— Ordered to be laid on the table and to be printed.

SALT DUTY.

On the order of the day for the third reading of the Salt Duty bill,

Mr. *Hobhouse* said, it appeared to him, that if this bill should pass, it would fall very heavily on the lower classes of the people; but it was impossible for him to say, how heavily it would fall; because it would fall on cheese, butter, bread and almost all the articles of food. That was not all, the retailers of all these articles would add a much larger sum than the duty on every article they sold.

Mr. *Martin* said, he gave credit to all those who felt for the lower class of the people. He should be very sorry that any thing should be adopted, that tended to press upon them; he believed that this would fall on the cottagers heavily, most of whom had much of their food baked, and they wanted salt almost to every article. He did not mean to say any more on this subject, but if any thing could be done to prevent this falling heavily on the lower classes, he should be very glad.

The *Chancellor of the Exchequer* said, that on the best enquiry he had been able to make, he was confirmed in the opinion he had at first given upon the subject. He believed the first statement he made of the consumption was very nearly accurate; he was confident it was so in a large number of instances. As to the observation that was made on the salt provisions, it must be obvious that it could fall but in a very light degree on any except those who, by that very circum-

circumstance, gave proof of their ability to bear it. He had always endeavoured not to press heavily on the lower classes of the community: but he must state that, from the nature of the contest in which we were engaged, when we found that such large additions were necessarily made to the revenue by taxes from which the lower classes of people were exempted, and almost wholly excluded; he thought, under all the circumstances of the country, that they were not now called upon to bear too much of the public burden.

Mr. *W. Bird* said, he had not heard any answer to the objections which he had made to this tax. The House ought to consider that the addition of one penny in the peck loaf was an object to be attended to by a poor man. He wished that some measure was adopted to make the bakers such an allowance for salt as might prevent any advance in the price of bread.

The *Lord Mayor* of London said, that this duty would certainly fall upon bread, but in a very small degree, and it was hardly to be objected to; for five pound weight of salt, would be sufficient for a sack of flour, which would produce eighty quartern loaves: so that the duty would only amount to one fourth part of a farthing on the quartern loaf.

Mr. *W. Smith* said, that application had been made to him to enquire whether it was the Minister's intention to allow any drawback to manufacturers upon this duty; it certainly was a point of considerable importance to them.

The *Chancellor of the Exchequer* said, he had very great objections to drawbacks, unless it could be made out that they might be allowed without the risk of fraud and imposition.

The bill was then read a third time, and passed.

The *Lord Mayor* of London said, that in consequence of a notice he had given, he called the attention of the House to the subject of the Assize of Bread. The last measure the House adopted upon that subject had been productive of a great deal of good, but not of all the good that was intended by it. He wished, therefore, to propose some further regulations in that respect. The Bakers were to make their returns every week, at present they made their returns at eleven o'clock on Monday Morning, at the Mansion House, and at five of the same day the average was taken; this was not sufficient time to examine the matter properly; he, therefore, wished that the bakers returns should be made on the Saturday. He wished also that a register of all bakers, &c. should be kept
at

at the Mansion House. And he wished further, that all bakers who were found to have allum in their houses, should be made liable to a severe punishment. This was the substance of the regulations he had to propose upon the matter; and he moved that leave be given to bring in a bill for amending the Act of the thirty-seventh of the present reign, entitled "An Act to amend the thirty-first of George II. for making bread, &c. and to punish persons who shall adulterate meal or flour, &c. within the city of London, the Bills of Mortality, and within ten miles of the Royal Exchange."

The two Acts being read; the motion, after a few words from Mr. Tierney and the Chancellor of the Exchequer, was put and carried.

DEFENCE OF THE COUNTRY.

Mr. Tierney then said, that on Wednesday he gave notice that he should bring before the House a subject, which he should take upon him to say, they would find to be a very important one to the country at large. Being told he should have a letter from the noble Lord to whose conduct the matter referred, he did not bring it immediately, he assigned his reason, the preceding day for deferring his motion. He was reported to have said, that the letter he was to receive would be satisfactory, he never said so. He had, however, received a letter from that noble Lord, but which was so far from being satisfactory to him, or from rendering his motion unnecessary, that it cast on him a duty to bring the matter forward. He was bound to do it in duty to his constituents, to the House, to the country, and to himself. He should not disregard that duty, but should perform it as well as was able. He did not call for the attention of House to the matter at present, because he did not wish to provoke any discussion upon it then. All he wished to do was, to give notice that he should bring forward a motion relative to the manner in which offers of service for the Defence of the Country had been received by the Lord Lieutenant of the county of Surry. That he should move it without delay; on Monday the subject of the Land Tax was to come on, and, therefore, he could not do it then; but he should on Tuesday, unless the subject of Mr. Palmer's application should prevent him. The motion he intended to make was for a Committee to consider of the manner in which offers for the Defence of the Country had been carried into effect in the county of Surry.

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The *Chancellor of the Exchequer* said, that a question of such importance as that which related to the safety of the country, ought to be fixed for a certain day.

It was then understood that it should come on either Tuesday or Wednesday.

The Report of the Election Treating Bill was read and agreed to, and the bill was ordered to be read a third time on Tuesday next, if then engrossed.

SLAVE TRADE.

Mr. *Henry Thornton* rose, in consequence of his notice, to move for leave to bring in a bill to prevent the purchasing Slaves on the Northern District of the coast of Africa. He stated the nature of his proposition to be to enable the House the better to understand the subject, and likewise stated from the calculations of Mr. Norris the number of Negroes taken from different parts of Africa, and by whom, each year; and then observed, that his proposition went to abolish between a tenth and eleventh part of the trade; that was about 7,200 Negroes from the Northern Coast of Africa, the whole number taken from all parts was about 74,000 Negroes. Of these 74,000, the British had been used to purchase 38,000, the French 20,000, and other European nations about 16,000. Thus the whole number which Britain would have the opportunity of purchasing, would even, after this bill should be enacted, be more than Britain used heretofore to purchase, since the 20,000 formerly bought by France, now added to the number which might be carried away by Great Britain. He observed upon the necessity of this measure, and the propriety of doing it gradually, as admitted even by the advocates for the Slave Trade. He did not like these measures to be left entirely to the Assemblies in the West Indies; there were too many doubts entertained by him of their sincerity about the abolition. The grounds of his motion were, that this measure was only to give some effect to what the House had voted already; secondly, that it would confer a considerable benefit on Africa, part of which was now a little accustomed to commerce, to European manners, and to civilization, and therefore began to see the advantages of trading in fair articles of traffic, instead of dealing in human blood. The third ground was, that the colony of Sierra Leone would benefit by this measure, and would be in a dangerous state without it. The Company commenced their operations there five years ago, and the sum subscribed for that purpose

purpose was 240,000*l.* only, 60,000*l.* of which was now left. He dwelt on the benefit which it would do to the colony of Sierra Leone, the obstacles which the Slave Trade had presented to its progress, and of the great importance which it might be to the future interest of Africa to have established a colony where Europeans should be settled, where cultivation and a trade in produce and general industry should have begun, and from whence civilization might extend itself to the more distant parts of the Continent, whenever opportunity should be given by the total prohibition of the Slave Trade. At present, he said, there was the greatest danger, lest every attempt made to civilize Africa should be abortive, through the temptation of gain, which the Slave Trade presented, and the disadvantages under which mere traders in produce every way laboured. Europeans of good character would not be induced to settle with their families in Africa, unless a place of security was afforded them, and unless also they had a fair chance of succeeding in an honest commerce. If an European now dealt in African produce only, while a competitor who lived near him dealt in produce and slaves also, the natives who brought both articles would go to the factory of the latter, and the more conscientious European would carry on a losing business from this cause. He said the bill would be a benefit to Africa, as far as it went, and that the Sierra Leone Company's servants would take care to inform against those persons who should violate this law, if it should be enacted. He concluded with moving, "That leave be given to bring in a bill to prohibit the trading in Slaves on the coast of Africa, within certain limits, and that this House do now resolve itself into the said Committee."

General *Tarleton* said, he had the same objections to this motion, as had occurred to him formerly on the subject of Sierra Leone: He thought that the present was an improper time for such a motion as this. It was true the House had formerly voted that this trade should be abolished by a time which was passed, but they did so at a period of profound peace, and they could not foresee what had happened in the course of this calamitous war. He complained of the unfairness of bringing the present matter forward so recently after the House had refused to abolish the trade. He thought that if one Member brought in a bill to abolish the trade in the North part of Africa, another might do the same thing in the middle, and another in the South, so that the whole trade would thus be done away, although the House had refused to do it when the whole question was before them. He thought that such questions as these should be let to rest until peace; for these reasons he was commanded by his constituents to oppose the motion.

Colonel *Gascoigne* was determined to give all motions of this kind his hearty opposition. The present was an attempt to effect that total abolition clandestinely, which the honourable Gentleman opposite to him could not accomplish in an open and fair way.

The *Chancellor of the Exchequer* professed himself as warm an advocate as ever for the abolition of the slave trade altogether, and declared that nothing but respect for the decision of the House prevented him from saying it ought to be abolished now; this motion, however, was not inconsistent with that decision. As to the necessity of having more time, he observed that there had been time enough, for one of the honourable Members for Liverpool had instructions from his constituents to oppose the motion.

Mr. *Sewell* was of opinion that the motion now intended to be introduced would not only extend to a diminution of one tenth of the number of slaves now purchased, but it would moreover contract the trade to one third of the African coast; if therefore it be open for the honourable Gentleman to move for its prohibition to one third of the coast, surely it would be equally open to another to move for prohibiting it in the central part, and for still another Member to propose its abolition in the southern district; but undoubtedly if Gentlemen would but attend to the obvious effect of such motions, they must clearly perceive that such motions must go to the immediate and total abolition of the trade; but this was evidently a motion wholly incompetent with another which had already been rejected this session, and to entertain that now proposed would be opening again this session the question of the total abolition, which had already been decided.

The *Speaker* observed, that the motion before the House was a real and substantial one, though indeed somewhat too widely worded, but limited and qualified, as it had been, by the speech of the honourable Member who introduced it, it were impossible to confound it with that which on the subject of the slave trade the House had already disposed of.

Colonel *Gascoigne* explained his meaning of the word clandestine.

Mr. *William Smith* said, he never knew of a proposition of any kind made in that House to ameliorate the condition of the slaves, but the merchants of Liverpool directed their representatives to oppose it: and yet it was to the instructions of that body, Gentlemen were that night called to sacrifice a question of humanity.

Mr.

Mr. H. *Browne* confessed that the present motion arose from the rejection of the motion for the abolition of the slave trade, but it was wholly different from that motion, and could consequently be now entertained.

Mr. B. *Edwards* said, that understanding, as he did, the nature of the Bill that was intended to be introduced, he would not only not oppose its introduction, but he would also vote for going into a Committee, if he saw that it went no farther than what it now seemed to have in view to accomplish. The reasons which induced him to give it his support were the same that actuated the West India planters, namely, to give effect to the wise and humane intentions of the honourable Gentleman who wished to promote the civilization of the Negroes in their native land; in such an attempt the reason of every man must concur, the charity of every man must rejoice; nor did he wish it to be supposed that either he or the West India Planters were perfectly agreed as to the object of this proposal; on the contrary, they differed widely; they were anxious for every improvement that could be endeavoured at in the moral education of the Negroes, and it was impossible for any man of sense or humanity to oppose so noble a scheme. The present motion had, therefore, his concurrence.

The question was then put on Mr. H. Thornton's motion, which was carried without a division. The House consequently resolved itself immediately into a Committee, in which leave was given to bring in the Bill.

SLAVE TRADE CARRYING BILL.

Sir *William Dalben* then moved, that the House do now resolve itself into a Committee, on the Bill for regulating the quality of the shipping to be employed in carrying slaves. The House resolved itself accordingly into the said Committee, when

Mr. *William Smith* proposed a clause for making the cubical contents between decks, the criterion of the fitness of ships, instead of their extent of tonnage.

Colonel *Porter* observed, that the attendance was too thin for a subject of this importance to be discussed, and therefore moved that the House be counted; but forty-one Members being found present, the business was further proceeded on, and ordered to be again considered on Thursday next, after which it was again moved to count the House, and thirty-three Members only being present, an adjournment took place,

HOUSE OF LORDS.

MONDAY, *May 7.*

The Royal Assent was given by Commission to the Loan Bill, the Prize Causes Bill, the Bill for permitting the importation of certain Commodities into certain of the West India Islands, and the Leith Harbour Bill; together with fourteen bills of a private or local description. The Lords Commissioners on this occasion were, The Lord Chancellor, the Archbishop of Canterbury and the Earl of Chesterfield.

The various Bills before the House were forwarded in their respective stages.

The *Earl of Carnarvon* moved an address to his Majesty, praying, that a list may be laid before the House of the officers appointed to the Supplementary Militia, distinguishing the counties to which they belong, which was ordered accordingly.

A Bill was presented to dissolve the marriage of Sir Hyde Parker, with Ann Boteler, his now wife. The second reading of which, we understand, is fixed for Tuesday the 15th. inst.

Mr. *Darvies* from the East India House, presented certain annual accounts relative to the Company.

Three private Bills were presented from the House of Commons, and read a first time; after which their Lordships adjourned till the next day.

HOUSE OF COMMONS.

MONDAY, *May 7.*

Colonel *Smollet* presented a petition and memorial on behalf of the freeholders, justices of the peace, and others of the county of Dumbarton; the substance of which was, That when the country is threatened with invasion, the memorialists and petitioners observe with satisfaction the force now collecting in all parts of the kingdom to strengthen the hands of Government; as also the amount of the subscriptions, &c. but as such measure was liable to some objections, they think it the better way to raise in future the necessary supplies within the year without any loan. Such a measure would convince the enemy of the strength of our resources. They therefore do not hesitate to recommend a direct tax on all property real and personal, according to the value. That a small tax in that way on each person, would raise very large sums of money, and might be considered as a premium of insurance for the protection of property, and would be better than any other mode that could be devised. They therefore petition the House, that
this

this plan may be taken into consideration, and that a bill may be brought in for a direct tax on real and personal estate of whatever kind, and to continue the same in force, if necessary, during the present war with France.

Mr. *Baxton* said, that he could not allow this petition to have a question put upon it, without expressing his warmest approbation of its principle.

On motion that it be brought up, it was agreed to; and being read,

The *Speaker* reminded the House that this was partly a petition and partly a memorial; and observed, that the House could not receive it as a memorial, it could only receive it as a petition. Ordered to be laid on the table.

POST OFFICE.

Mr. *Hobhouse* said, as the right hon. the Chancellor of the Exchequer has thought proper (I know not on what ground) to refuse to apply for a recommendation from the Throne in the case of Mr. Palmer, and I can yet find no form of an address, which is at the same time within the rules of the House, and calculated to attain the end I have in view, I mean the fulfilment of the agreement between the Chancellor of the Exchequer and Mr. Palmer, I feel myself under the necessity of saying, for the present, the motion which stands for the next day. I wish, however, to have it understood, that Mr. Palmer's claim, which, in my judgment, is founded on strict justice, is not intended to be abandoned; but the investigation is only proposed to be delayed.

The *Speaker* and the House were then summoned to the House of Peers, to hear the royal assent given to certain bills.

The *Speaker* having returned, informed the House that the royal assent was given to the bill for raising three millions by way of annuities. The bill for declaring the validity of the Order in Council relative to Prize Causes, and to the bill for improving the harbour of Leith.

LAND TAX REDEMPTION.

Mr. *Rose* said, that owing to the unavoidable absence of his right hon. Friend, (the Chancellor of the Exchequer) he thought it would be advisable to postpone the Land Tax bill till Wednesday next.

Mr. *Tierney* said, he apprehended it could make but little difference whether the Land Tax bill was to be brought on the next day or Wednesday. He gave notice that he should certainly call the attention of the House to the conduct of Lord Onslow the next day.

The

The question was then put for taking the Land Tax bill into further consideration on Wednesday.

Mr. *Jelliffe* complained of the inconvenience of bringing gentlemen to the House to attend to this business, and then disappointing them. He hoped, however, that the matter would come on, on Wednesday at a certainty.

Mr. *Rose* said, he should really have hoped that difficulties would not be started in this case, on account of a day or two. There was not a member in the House more convinced of the propriety of the measure than he was; but yet he could not think of pledging himself for its coming on, on Wednesday; he could not think of discussing the matter in the absence of his right honourable Friend, it was of too much importance.

Mr. *Jelliffe* said, he did not press any thing; but now he must consider the bill as being put off *fine die*.

The report of the Committee upon the subject of Tanning Leather, was ordered to be taken in further consideration, and to be printed.

The *Lord Mayor of London* brought up a bill for better regulating the assize of bread, &c. and for punishing persons who shall adulterate meal, flour, or bread, &c. in the metropolis, the bills of mortality, and within ten miles of the Royal Exchange, &c. Read a first time, and ordered to be read a second time, and to be printed.

TEWKESBURY ELECTION COMMITTEE,

Mr. *Calvert*, jun. reported from the Committee on the Tewkesbury election, that the sitting member against whom the petition was presented, was duly elected; and that the petition of Peter Moore, Esq. and others, was frivolous and vexatious.

The House, on motion, ordered that a Committee be appointed to prepare an estimate of allowance proper to be made to subaltern officers in time of peace.

The report of the Committee appointed to inquire into the state and condition of prisoners of war, was ordered to be recommitted.

The report of the Committee on the bill for altering the provision of the Land Tax bill, with regard to the qualification of Commissioners, was brought up. Several clauses were offered by Mr. *Ryder*, and agreed to by the House; after which the bill was ordered to be read a third time the next day, if then engrossed.

Mr.

Mr. *Rose* brought up the bill for appropriating 200,000*l.* a year for the reduction of the national debt. Read a first time, and ordered to be read a second time the next day.

The bill for the better encouragement of the Southern Whale Fishery, went through a Committee of the whole House, and the report was ordered to be received the next day.

Mr. *Dent* presented a petition from the Corporation of Lancaster against the Lancaster Quarter Session Bill; which, after a short conversation, was ordered to be laid on the table.

The bill for continuing certain regulations for the encouragement of the British Fisheries, was ordered to be committed to a Committee of the whole House the next day.

Mr. *Wilberforce* moved, that the House do the next day resolve itself into a Committee upon the bill for empowering magistrates to order costs in cases of misdemeanour, to be paid out of county rates.—Ordered.

The other orders of the day were deferred, and the House adjourned.

HOUSE OF LORDS.

TUESDAY, May 8.

PEERAGE OF BELHAVEN AND STENTON.

The House resolved itself into a Committee of Privileges, Lord *Walsingham* in the chair.

The consideration of the claim of William Hamilton, of Withaw, in the county of Lanerk, to the above title being resumed, Messrs. Adam and Tait, the claimant's counsel, were heard at considerable length, in support of the evidence adduced in behalf of the pretensions of that gentleman.

Their Lordships then postponed the further hearing of the case till Tuesday next; after which the House was resumed, and the various bills upon the table were forwarded in their respective stages.

Among these was the commitment of the Alien bill; in which proceeding

The Lord Chancellor suggested an amendment, which struck him as necessary in the measure in question which his Lordship stated fully. His observations tended chiefly to point out the great room which obtained for evasion under the act as it then stood, by the objects of it defeating its operations, by means of fictitious arrests. He instanced a particular case, that of the person called Count Zenobio, who contrived

conceived means to protract his stay in the country, and so far to defeat the intent of the Bill; he procured his arrest by certain creditors, whom (it was to be supposed) he did not find it hard to deal with. The object of the clause he would propose was to counteract the intention of these proceedings. His Lordship then proposed the introduction of a clause enacting to this effect, which meeting the concurrence of the Committee, it was received, and ordered to stand and make part of the bill.

Mr. W. Bird presented from the House of Commons the Bill for amending the Land Tax Commissioners Name Bill, which, with two private bills, that were subsequently brought up, was read a first time, and their Lordships adjourned till the next day.

HOUSE OF COMMONS.

TUESDAY, May 8.

The bill for altering the qualification of the Land Tax Commissioners, was read a third time and passed.

The Report of the Committee appointed to consider of proper allowances to be made to Subalterns in time of peace, was brought up and laid before the House.

A Message from Lords informed the House their Lordships had agreed to the bill for preventing any property to be sent to, or transferred to the names of any persons under the dominions of the persons exercising the power of Government in Switzerland, &c. and to several private bills.

Lord Belgrave moved the Order of the Day for the third reading of the bill to prevent treating at elections.

Mr. Simeon repeated his objections to some of the provisions of the bill, although he did not call for a division upon the question.

Lord Belgrave replied to the observations of the honourable and learned Gentleman; after which the bill was read a third time and passed.

Mr. Alderman Lushington brought in a bill for the better preventing of fraud in packing butter, &c. read a first time, ordered to be read a second time on Friday next, and to be printed.

PROTECTION OF COMMERCE.

The Chancellor of the Exchequer said, it was his intention to move, in a Committee of the House on Friday next, to consider of Ways and Means for raising a Supply, a resolution grounded on a measure which he had hinted at in the opening the

the Ways and Means of the year, relative to an insurance duty on Imports and Exports. He, therefore, now moved that the House do, on Friday next, resolve itself into a Committee of the whole House, to consider of a measure for the more effectual protection of the Trade and Commerce of this country during the War—carried.

SILVER COIN.

The *Chancellor of the Exchequer* brought up a Copy of his Majesty's Order in Council of the 8th of May, 1798, relative to the state of the coin, and of the constitution of the Mint. Ordered to be laid on the table.

The *Chancellor of the Exchequer* said, it was in contemplation to examine into the state of the Silver Coin, to make a new Silver Coin, and to make some alteration with respect to the Mint. From the quantity of silver now in this country, a great deal of it might be brought in and coined, as the Mint was at present constituted without any regard to a future plan for coining; one object that he had in view was to restrain the power of so coining Silver until any enquiry should be made into the matter by Parliament.

LORD LIEUTENANT OF SURRY.

Mr. *Tierney* then rose. He gave notice, he said, on a former day, that he should call the attention of the House to the conduct of the Lord Lieutenant of the county of Surry; he now proceeded upon that subject. It was a measure which nothing but the sense of duty would induce him to bring it forward, for the House would do him the justice to recollect, that during the whole of this Session of Parliament no motion of his, had impeded the business of the House; he had contented himself with only opposing a few measures which he thought ought not to have passed, and that he had done sparingly, on account of the critical situation of the country; under other circumstances of the country, his opposition to the conduct of Ministers would have been more frequent; but the situation in which he stood, and his duty towards the public at large, and the great borough which he represented, made him feel that he should still discharge his duty either to the public at large, to the people whom he immediately represented, ~~made him feel that he should still discharge his duty either to the public at large, to the people whom he immediately represented,~~ or to himself, if he did not call the attention of that House to the matter which he was now about to submit to its consideration, at an hour of imminent danger, not only to some individuals, but even to the Empire itself. It was in the recollection of the House, that not many weeks ago a bill was brought into Parliament to enable

his Majesty the more effectually to provide for the defence and security of the Realm. When that bill was brought forward, he did what, under similar circumstances, he trusted he always should do, support the Executive Government in the hour of necessity in measures calculated for the safety of the country, and therefore he was among the foremost to give a cordial approbation to that measure: there was one point, however, which he could not then help remarking to the House as very necessary to be attended to; and he called the particular attention of the Chancellor of the Exchequer to it, as a thing which ought to be expunged from the bill; he meant that part which directed that the names of those who should enroll themselves under the provisions of the bill should be published. He thought there was an indelicacy, and perhaps some danger in that part of the bill, inasmuch that it will tend to create an invidious distinction between those who entered and those who did not, or between those who entered readily, and those who were more slow in entering; there might be some who were not inclined, and many to whom it was inconvenient, to enter, either from domestic or other circumstances; but who nevertheless were as well affected towards the interest of their country, as those who were more conspicuous in their conduct towards the general defence. These persons did not wish to pledge themselves to come forward upon the commencement of the measure, although ready for the hour of danger. He therefore wished that the names should not be published, because he wished, as he had said already, to avoid every thing that should tend to create an invidious distinction between the people of this country. His object was attained in this particular; the Chancellor of the Exchequer waved that part of the bill; thus his single objection being done away, he voted for the whole of the bill; not indeed that he saw any absolute necessity for the bill: for he thought that, in case of an invasion, the Royal Prerogative had the very power which the bill was intended to confer; but he voted for the bill, because his Majesty's Ministers, and others, whose opinions ought to be of more weight than his, thought the bill necessary; and therefore he deferred to their authority. While he thus voted however, he little thought he was giving his support to a bill, that was to be used for casting an odium on those who offered their services for the defence of their country. Such however was the case with respect to what happened to a vast portion of his constituents; in the Borough, a very large body of men on whom there neither was, nor could be any imputation whatever; were told by the Lord Lieutenant of the county, that they were not fit persons for the service of his Majesty.

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When he gave his vote for the bill, he gave it cordially; nor did he conceive it sufficient to give a mere vote in the House of Commons upon such a subject; he professed what he felt; a readiness to do every thing in his power to defend the country in every way he was able; therefore, as far as his means would allow, he followed that vote up by actions; he lost no time either in doing so. God knew his means were limited to a small compass; he had no places to give, no influence or controul of any kind. He had not been in a situation to confer any favours, nor was he in a situation to which any part of the country would look up; but the best use he could, he did make of his situation—he called on that part of the community which he might, without much vanity, suppose to have some attachment to him; and, whatever might be the event of his motion that night, the kindness with which he was received by his constituents he should never forget. He thanked them, and he knew the country would do so; but as their offers were unavailing, he ought to take care that in their characters they should not be losers by their confidence in him. In the Borough, which he had the honour to represent, it was well known that, in consequence of a great and violent heat kindled at the election, by circumstances to which it was unnecessary to allude, a considerable portion of personal animosity appeared; it had always been his wish to quiet it as far as he could; and he had acted upon that wish. He would defy any man to say that he did any thing that had a tendency to revive political feuds in the Borough; he was in hopes that the political spirit of dissension from each other, was in a great degree subsided; but although this was his wish and such his conduct, he would not have the right honourable Gentleman (the Chancellor of the Exchequer) suppose, that he had altered his political tenets; on the contrary, he always should adhere to them, and so he believed would those whom he represented, and however unfashionable their sentiments might be in that House, he was persuaded there was not an intelligent and honest man in the kingdom who would think that they were the less to be trusted because they did not conceal their sentiments.

There were one or two meetings in the Borough for the purpose of considering the best mode of offering their services to his Majesty. Such meeting he attended; standing as he did, he was sure he was liable to no unfavourable imputation, and he ought to state the ground distinctly on which he offered his services, he stated that he had not, in the moment of alarm or panic, altered his opinion of the Chancellor of the Exchequer,

or abandoned the principles which recommended him to his constituents, he meant an attachment to the principle of a parliamentary reform; his desire was that there should not be any thing like difference of opinion expressed at the meeting that was held in the Borough; he proposed that they should adopt a resolution that they would with one arm and one heart resist the common enemy, which the meeting adopted immediately; in consequence of which, as there was nothing specific before them, the meeting immediately adjourned; consistently with these objects they had performed their duty themselves; consistently with these objects no man's political opinions were to be inquired into; there was no political creed to be subscribed to, but the association was to be as general as possible. With this view it was to be carried into execution like other associations, which he believed had met his Majesty's approbation; such he took to be the case with respect to the association in the town of Hampstead.

Here he entered into the nature of the resolutions voted at the Three Tuns Tavern at St. Margaret's Hill in the Borough, and trusted that the House would excuse him from entering into detail. The first resolution was---

That we deeply deplore the alarming crisis to which his Majesty's Ministers had unhappily brought our country.

He must be a caviller indeed who could find fault with such a resolution. It was afterwards resolved that a general association should be entered into, consisting of householders; and in order to guard against the admission of improper persons, provision was made that if any who were not householders should be proposed, (as there might be many who were not householders, who were yet very respectable persons) that they should not be admitted unless recommended by two householders, and then to be admitted only by ballot. They then resolved as follows:

That true to our duty as Englishmen, and faithful to our domestic ties, we will cheerfully, and at our own expence, contribute our proportion of personal service whenever the hour of actual invasion shall arrive; reserving to ourselves the right to consider of the propriety of extending our exertions beyond the limits of the Borough of Southwark as circumstances may render it expedient.

He would not have Gentlemen think that this association was in any degree different from other associations, nor was it intended, to do more, than to prepare a plan of association, which was to be transmitted to the Lord Lieutenant of the county, and submitted to his Majesty's approbation, which was evident by the following resolution:

That

That a Committee, consisting of twenty, be now named, for the purpose of carrying the above resolutions into effect; and that they do prepare a plan of association for that purpose (for the approbation of his Majesty,) which they are to submit to the sanction of a future meeting, to be called as soon as it is possible that such Committee can be prepared with the same. Committee named accordingly.

There never was any idea whatever of preventing the Lord Lieutenant from transmitting to his Majesty the names of those who were proposed to become officers; nor was there any idea whatever of transgressing the laws in this more than in other associations.

The next resolution stated,

That whatever grievances we may feel, or whatever reform we may conceive ourselves to stand in need of, we will firmly resist all foreign interference, and cordially co-operate to protect our country from any hostile attack of the French Republic.

That our lives are at the service of our King and country, for the purpose of repelling an invading enemy.

This they intended to do, by acting in obedience to officers appointed with the approbation of his Majesty; nor was there any thing in these resolutions that could convey any alarm of any person, except to the very scrupulous and delicate Lord Lieutenant of the county. Nor could there be any objection stated against the plan of the association on account of expence; because the whole was agreed to be defrayed by the association itself. Nor was any thing to be done in defiance of the Lord Lieutenant; for George Tierney was desired to wait upon his Lordship, to state the whole of the proceedings. Such was the plan of the association for the better defence of the country, limited in its exertion to the Borough of Southwark; resolving to be ready, in case of actual danger; defraying the expence themselves; providing that his Majesty should have, as he ought to have, controul over them; that no officer should be appointed over them but with his Majesty's approbation. The plan being drawn up, he enclosed it in a letter directed to Lord Onslow, requesting that his Lordship would submit it for his Majesty's approbation. The plan was unanimously approved of; and, when he said unanimously, he ought to add, that the invitation to the meeting was general; and that all descriptions of persons, without any distinction in politics, were invited to it; otherwise it might be conceived by some that the unanimity was owing to the meeting being composed entirely of his friends. In fact, persons of different ways of thinking in politics did attend: some alterations were proposed to the plan; and they were adopted. Others might have been adopted if they were material: no matter whence they came;
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he, as Chairman, would never have suffered political opinions to influence his conduct at such a meeting. He also in his letter to the Lord Lieutenant informed his Lordship, that if he desired any farther information upon the subject, he should be very happy to give it him. The noble Lord had taken upon himself, to reject the offers of the services of this respectable meeting, for reasons that could not be good; for if any part of the plan which was submitted to his Lordship appeared to him improper, he might have suggested his opinion upon it. No rational suggestion that he could have made would have passed unattended to; he could have proposed nothing reasonable which the meeting would not have been ready to adopt; all difficulties would have been done away. He had heard it said that a meeting in the parishes would have been better than this general one; to that there would have been no objection, had his Lordship condescended to suggest it. He had heard it said, that he caused this meeting to be convened from a motive of ambition; that indeed he wanted to be Colonel; he had no such intention; if he had been desirous of being a military commander, he would have endeavoured to procure for his military exertions, a larger space than was afforded in Blackman-street, in the Borough. All he asked on the part of the Association was, that their offers would have been cordially received, for they were cordially made; but the noble Lord was, some how or other, lamentably deceived. The letter he wrote to the noble Lord requested an early answer, because the general meeting was adjourned to the following Tuesday night. This was not too much to require; setting politeness aside, however, shortly after, he received a letter from his Lordship, acknowledging the receipt of his communication, and assuring him that he would let him know the result after the Secretary of State had perused the plan. He waited four days, but waited in vain, for a conclusive answer from his Lordship. The meeting was held on Tuesday, pursuant to the adjournment, and was again adjourned for want of an answer from Lord Onslow. On the 26th he received a letter from Lord Onslow, intimating that all plans of associations must be submitted to the Secretary of State by the Lord Lieutenant; that he was receiving other offers from the Borough of Southwark. By this it was manifest that the noble Lord had no intention of accepting the services of this meeting. He did not know that Ministers had had any hand whatever in influencing the conduct of his Lordship. He was to presume the noble Lord acted entirely from the suggestions of his own mind, and therefore he brought no charge against any other person.

person. Who told Lord Onslow that other plans were forming, he did not know. That no offer of service should be considered as a settled plan by the Lord Lieutenant was what he admitted to be just, but that the sketch of a plan should be submitted to the Lord Lieutenant in the first instance was what he denied; still more did he deny, that the Lord Lieutenant should be the person that was to judge of the sincerity of those who entered into the resolutions. He did not know how he got them; never from him; and for aught his Lordship knew, they might have been a forgery; not that he was denying the resolutions; on the contrary, he avowed them; but he was speaking now of the regularity of the proceedings; and his Lordship might as well have been properly informed upon that fact. Lord Onslow, however, was not satisfied with being Lord Lieutenant of the county of Surry, he chose to be a Cabinet Minister; he took upon himself to decide whether the body of householders of the Borough of Southwark was a fit body to be inrolled for the defence of their country. Where the noble Lord learned this doctrine, he did not know; hardly from the right honourable Gentleman on the other side of the House, after what he had learned from him upon that subject; and he would say, that this behaviour of the Lord Lieutenant of the county of Surry was cruelly unjust to the inhabitants of the Borough of Southwark. From the time he had been last speaking of, to the 4th of May, he received no answer from Lord Onslow, and he now discovered that an other party rose up in opposition to the former; and that the objection of the Lord Lieutenant was not to the nature of the service offered, but to the person who proposed it; not because the proceedings at the meeting were improper, but because George Tierney was in the chair. Parish meetings were held; in one of which very respectable Gentlemen appeared, to whom he could have no objection, nor to any other parish meetings, except a general objection, that the appearance of unanimity, on all hands admitted to be desirable at at such a moment as this, was destroyed by this proceeding; the impropriety of which he charged upon Lord Onslow. The very delay which this mode occasioned, was contrary to the principle of the bill for the defence of the country; the leading feature of which was, that his Majesty should avail himself of the loyalty and zeal of his faithful subjects as speedily as possible. He was afraid, that if enquiry were had into this matter, it would turn out, that the Lord Lieutenant was in treaty with some party or other to get rid of the offer of the services of the inhabitants of the Borough of

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of Southwark, as agreed upon at the general Meeting. He repeated an account of the meeting and the delays which Lord Onslow occasioned. He admitted that, in consequence of this, another meeting was held by the inhabitants of the Borough, which was distinguished by warmth of language against the Lord Lieutenant of the county. He begged permission to ask, if the inhabitants of the Borough were not to be justified for using warm language after such treatment? What could Lord Onslow be dreaming of all this time; why should he wilfully and wantonly refuse to return an answer for so many days? He apprehended that much more mischief was done by such conduct as this, and that he was not asking too much when he asked Lord Onslow to explain it; for, after so much delay, the noble Lord at last came to a direct refusal of the services of the inhabitants of the Borough, offered as he had already stated. He had heard it said, that the true object of Lord Onslow in rejecting these services, was on account of the meeting not having expressed their readiness to be active in suppressing riots, as well as being ready in case of an invasion. Such an objection was ridiculous, because such a service was unnecessary, the law of the land being already sufficient for that purpose. He then stated the last letter of Lord Onslow upon this subject, in which he said, that after perusing the letters sent by Mr. Tierney, he could not consistently, with his own opinion, recommend the offers of services contained in it. His reasons must be, because the services were tendered by a particular description of men. What reason had he for not thinking himself justified in recommending their services? He knew of nothing; he dared not alledge any thing against them. He would lay this letter before the inhabitants of the Borough of Southwark; but before he did so, he thought it proper to state its contents to the House of Commons, who before they refused to enter into an enquiry upon the subject matter of it, ought to pause for awhile. They ought to pause indeed, before they determined that large bodies of men, who may be of opinion, that his Majesty's Ministers had brought this country into a calamitous situation, and publicly declared so, have not the good of their country at heart. He then proceeded to read the several resolutions of the meetings in the Borough.—The one was,

Resolved, That we deeply deplore the alarming crisis to which his Majesty's Ministers have unhappily brought our country.

There was not one word in that Resolution which could not be defended. It said nothing against the Chancellor
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of the Exchequer, in point of profusion of public expenditure ; it said nothing of his professions in the early part of his political life ; it did not charge him with apostacy, or having in any degree deserted his former principles.

The next Resolution was—

That we are unalterably of opinion, that a fair Representation of the People is essentially necessary to the welfare and liberties of these Kingdoms : an opinion strengthened by the burdens we have recently been made to bear, and by the painful consideration of what England is, compared with what England was.

Whether these were proper words or not he did not know ; but certain it was, they were adopted in conformity to what the right hon. Gentleman himself had said. He apprehended that the Chancellor of the Exchequer himself would not say, that England is what England was. He would ask any man whether persons of different political opinions might not have equally honest wishes for the safety of their country ? Whether there was in these Resolutions one word that ought to alarm any man ? Those who entered into these Resolutions, stated that they were not friends to the present Ministers. Did that render the offer of their services to their country the less valuable ? They stated that they were friends to a Parliamentary Reform. Did that render the offer of their services to their country the less valuable ? Let the Chancellor of the Exchequer remember what Barras said upon the Reformers of this country ; that they are all of them friends to the French. Let the Chancellor of the Exchequer use all his eloquence upon this subject. It was worthy of the best exertions of his eloquence. These Resolutions conveyed a direct and decisive answer to Barras' calumny upon the friends of Reform in England. Here it appeared that these very Reformers were among the first in determining to resist the French ; if therefore, the Minister chused to discountenance the conduct of such men, although he did not aid the calumny of Barras, in the first instance, he would do so, in the second ; for by discountenancing the proceedings of such men, he would lead the French to say, ' true it is, these men profess an attachment to their country, and ostentatiously offer their services in its behalf ; but the Minister knows these men better than we do, and he dares not trust them ; they are, therefore, still to be considered as our friends.' Notwithstanding any thing that might be said against him, he still adhered to the principles he originally professed ; however unpopular they might be at present in that House, he saw no reason to be ashamed of them ; nor did he see any reason to shrink from the spirit of the Resolu-

tions of the Southwark meeting. He wanted to know, whether, by these resolutions, they had not rendered their country more service, than if they had enrolled themselves without a word, under the system of the Chancellor of the Exchequer. Had they done so, the Directory might have said, "there are men indeed under arms in England, possessing to be friends of their country; but they are, many of them, friends to us. Here an answer was given to such a supposition; by such resolutions as these, England is proved to be inhabited by a cordially united people.

Should the French indeed invade us, it would be the fault of ministers if we did not meet them with bayonets fixed, and with swords drawn. The House, taking this view of the subject, would pause, he hoped, before they refused the enquiry he should propose. The effect of it must be that of damping the ardour of the people. It must prevent many from offering their services; who if such an enquiry should be refused, would expect that honest, firm, cordial reformers, would, after such refusal, offer their services. Indeed it would not lie in the power of Lord Onslow to make up for the loss of such men. They were men whom no person dared to say he suspected. Who was the lord lieutenant who presumed to despise their services? What sort of power was that which enabled him to do so? If there was such a power vested in a lord lieutenant, the sooner it was taken away the better. If he thought there was, he should, without delay, move for leave to bring in a bill to take away such power, which, however, he need not do, because such power did not exist. Unless the lord lieutenant of the County of Surry could shew that this large body of men had views hostile to the interests, and consequently dangerous to be employed in the services of their country, he would not discharge his duty either to his royal master or to his country, by not explaining why he refused to receive the services of so large a portion of his majesty's loyal subjects. They came forward as loyal subjects; nobody had a right to insinuate that they were not so; and if Lord Onslow had any doubt or difficulty upon that subject, he ought to have applied to the chairman of the meeting, in order to see whether such doubt or difficulty could be removed. On the contrary, Lord Onslow had from day to day, from hour to hour, by his wilful silence caused a great mischief; for he had created much disunion where, but for his conduct, unanimity would have prevailed. Should an invasion take place, the people of this country would not look up to a Lord of the bed-chamber for their safety. He wished the Chancellor of the Exchequer to remember that, if the conduct of the lord lieutenant of the county

county of Surry was to be countenanced by the House of Commons, it would be a proclamation in favour of the French; because it would be holding out to the world that there are in this country large bodies of men who cannot be trusted with arms in its defence. It was not to the military skill of the inhabitants of Southwark, or any other place, that he looked for the safety of this kingdom. Associations of this kind were in all places formed by men uninstructed in the use of arms; but that was not of much importance; for it was to the zeal, the spirit, and the unanimity of the people that he looked. He trusted in God we should have soldiers enough for our purpose. The enemy would be glad if we were deficient in soldiers; but we should shew them, it is not on soldiers alone that we depend, but that we rely mainly on the spirit of the nation. Our enemies should know that we can oppose mass to mass; that was the way to manifest our strength. What part of that mass was more firm than the body of those who wished for a reform? Let the Chancellor of the Exchequer remember, that all his old friends had not abandoned their opinions upon the subject of reform; there were still many of them who retained a cordial attachment to their original principles, who thought that a reform is essential to the safety of their country? Who would not, indeed, go the length that was proposed by some, but who adhered to the principle of giving to every householder at least a vote for a member of Parliament. He knew the right honourable Gentleman did not go that length; but he would do well to cultivate the friendship of those who did. He would be left in a deplorable state in the hour of danger if all reformers were to abandon him. Let him be aware therefore how he acted upon this occasion. He was pledged to nothing as the case stood; but if he refused an enquiry into this matter, he would do more to prevent unanimity in this country, in the hour of danger, than he could atone for. Let him reflect, whether, for the sake of countenancing the Lord lieutenant of the county of Surry, it was worth his while to risk a measure which would endanger the safety of this kingdom. He hoped he had not used any improper language upon this occasion. Indeed he thought it his duty to bring the subject forward. He had stated it accompanied with no more observations than appeared to him naturally to arise out of it; it remained with the House to determine how far the spirit of the act for the defence of the country had been carried into effect by the lord lieutenant of the county of Surry. By voting for the enquiry which he should propose, he begged the House to remember they were not voting to criminate my Lord Onslow; they gave

no opinion of the matter; they only put Lord Onslow in the way of accounting for his conduct; and it should be a motive for that Noble Lord and all his friends to wish that this subject was farther investigated, that being the only way to clear up his character. He then moved—"That the House do, on this day se'nnight, resolve itself into a Committee of the whole House, to consider in what manner the Act of this Session of Parliament for the defence of the country has been carried into effect in the County of Surry."

Mr. *Secretary Dundas* spoke to the following effect:—"Sir, This is a motion of considerable importance, and unquestionably deserves the serious consideration of the House. I am the more anxious for the discussion of it, because if the doctrines which the honourable Gentleman has thought proper to advance, be true—if the positions which he has, in the course of his speech, attempted to establish, be just—I ought to stand here, in every point of view, as much an object of censure as the Lord Lieutenant of the County of Surry. The honourable Gentleman has not maintained that by the common law of the land, or by the operation of any statute law, a person has a right to put himself in military array, or form part of an armed band, without the authority of the Executive Government. No such right can possibly exist, and that such a power ought to be exercised, is obvious and undeniable. I assume it as a clear and uncontrovertible proposition, not as a matter of argument, that this right is clearly derived from the authority of the Executive Government; and this principle being once laid down, and fully recognized, it follows, that it being impossible for his Majesty to exercise it on all occasions, he is consequently entitled to confer it through the medium of his delegates. This, Sir, is another proposition which I undertake to say will not be contradicted. These principles being fully admitted, the question now before us is, Whether the House will consent to establish a precedent to require a Lord Lieutenant of a County, acting under the immediate direction of the Crown, to give specific reasons for the line of conduct which he may think himself bound to pursue, and to assign causes for the due execution of his office, when he acts from the result of his personal knowledge, and in consequence of the communications made to him, and the information conveyed to him by those whom he is in the habit of consulting, and to whom he has occasional recourse. I state the question in this plain manner, as I do not mean to abate one iota of the propositions which I have laid down, leaving it to be fairly considered by the House, whether this is not the simple and candid statement of the question which

which we are called upon to discuss. If it is not that I am afraid that in the humble endeavours which I have used to execute with care and attention the public trust reposed in me, I have been guilty of great malversations in my office. I have no difficulty in stating, that when the Lords Lieutenants transmit to me any plans or propositions of association, I make it a rule not to take any further measure with respect to them, unless they are expressly recommended by the Lords Lieutenants, and if they want that necessary recommendation, they are returned to the Lords Lieutenants.— This is a constant rule, from which no deviation has taken place; and if they have a power to recommend, it follows that they have the power to refuse. The honourable Gentleman himself has admitted this principle, for he has made a difference between the association and the officers who were to be appointed to the command of it. The honourable Gentleman says, that it is in the power of the Lords Lieutenants to refuse to recommend the names of the officers for his Majesty's approbation; if so, does he mean to contend that specific reasons are to be assigned for rejecting them? or, are the Lords Lieutenants to furnish the particular grounds on which they may be induced to withhold their recommendation? (Mr. *Tierney* observed, that his intention did not go so far.) However, Sir, I take it that the honourable Gentleman did mean so, and then he will find it extremely difficult to lay down particular rules according to which a Lord Lieutenant is to act, and pursuant to which he is to regulate his judgment, in deciding whether the officers chosen are proper to fill their respective situations or not. In the present instance, the consequences resulting from the statements submitted to the House would be ridiculous, for it appears that the officers are to be chosen by ballot, yet it is admitted that the Lord Lieutenant has the power of rejecting them. Such a proceeding would be highly absurd and inconsistent. But, Sir, I do not wish to argue upon, or to derive any advantage from such apparent inconsistencies; I desire to state distinctly the law of the land, and not the authority of the Lord Lieutenant, to act as the honourable Gentleman wishes. Does he mean to say, that there is any thing unconstitutional in having a power to recommend associations or officers for his Majesty's approbation? If he does not, the power of refusal follows of course; and if there be any slur cast upon those who are rejected, it becomes equally strong in refusing to recommend others, as well as those alluded to by the honourable Gentleman. The Lord Lieutenant acts by the advice of the Deputies, and of those whom he consults officially. He acts upon a fair and just exercise of discretion

discretion in matters where his judgment forms the rule of his conduct, and the result of that discretion is to be laid before his Majesty. But what would be the effect of a contrary conduct? The resolutions of the meeting at which the honourable Gentleman was in the chair, will, I believe, prove the best guide to enable us to form an opinion on that subject. One of these resolutions went to entitle the members of the association to ballot for the officers who were to command it; and I say that men coming forward on the principles distinctly mentioned by the honourable Gentleman, do not guard against all the mischiefs that are necessary to be guarded against at the present moment—mischiefs which appear more serious and alarming the more they are considered and minutely enquired into. The honourable Gentleman talks of calling for the efficient force of the country; but if the associations for the defence of the nation were formed upon the principles of the honourable Gentleman, the efficient force of the country would be shortly put an end to. I know that men have come forward with tenders of voluntary service, against whom every caution should be used, and every vigilance exerted. An honourable Baronet (Sir Wm. Pulteney) stated on a former night, that there was, in his opinion, no body of people in the country whose zeal might not be relied on in the actual state of public affairs. I then said, that the great body of the people would be firmly united in their determination and exertions to resist the enemy; but, on the other hand, I do know, that there are bodies and societies of men formed in this country who conceal their designs under the mask of Parliamentary Reform, but who are in traitorous correspondence with the common enemy. [A general cry of *hear! hear!*] I ask the honourable Gentleman, should not the Lord Lieutenant use the right of refusing his recommendation of any plan of association proposed to him in his official capacity? Does the honourable Gentleman mean to say that? (Mr. *Tierney* replied no.) Then, Sir, does he mean to say, that the Lord Lieutenant is to be brought before the Legislature for having performed the duties of his office in a fair and constitutional manner; and is he to be reduced to the painful situation of undergoing a trial for the refusal of every man whom he may, after maturely considering every circumstance and every information which he can obtain upon the subject, think an improper person to fill a situation of peculiar trust and importance? I regret, Sir, that too many persons have already given rise to just motives of strong suspicion. I lament that I am under the necessity of saying, that there are many men engaged

engaged in a traiterous correspondence with the enemy, and who are full of every mischief, and every venom that ever stung the vitals of the country. I mean to say, that the delay which has unexpectedly taken place with respect to certain trials which are about to come on, has suppressed the knowledge of the extent of the evils and conspiracies with which this country is threatened. I only mean to say, that Government has been prevented from shewing its vigilance, and the extent of the discoveries which have been made; and I mean to say, that considerable societies and bodies of men, disaffected to the constitution of the country, have formed themselves into assemblies, under the mask of Parliamentary Reform.

They first appeared under the name of Corresponding Societies, but they have since assumed the appellation of United Englishmen, imitating the example held out to them by their colleagues in the work of anarchy and innovation in a sister country. When such societies are known to exist, when the members of them profess principles subversive of every social institution, and destructive of human happiness, and only wait for an opportunity of carrying those principles into execution; I ask, ought not the lord lieutenant to exercise the right of judging and deciding whether persons offering their services to associate at this important crisis are proper objects for his recommendation to the Executive Government? Would it be wise and prudent in him to dispense for a moment with that just discretionary power which he has the unquestionable right of using for the public good, after every minute and candid investigation into the characters of the persons whose names may be inserted in the lists tendered for voluntary service? I do not, Sir, apply these remarks to those particular men belonging to the association mentioned by the honourable Gentleman. If I entertained any intention of that nature, I should do it openly and decisively; but I state the general principles on which the country is bound to act; and, if you destroy them, you disarm the lords lieutenants of the counties of the constitutional power of acting for the essential benefit of the nation. These, Sir, are the general grounds upon which I rest the merits of the present question. I have carefully endeavoured to avoid any thing invidious, or any imputation that might apply to any individual case. I know nothing of the persons composing the Association, whose services were offered in the present instance, and I cannot, therefore, be supposed to make any application to them.

them. I certainly know the honourable Gentleman who has brought forward the motion, and I have sometimes the pleasure, and sometimes the mortification of seeing him there, (*pointing to the opposite bench*) but with the other members of the Association I am altogether unacquainted. I only contend, that by agreeing to the motion, you necessarily disarm the lords lieutenants of a power which they have a just and legal right to exercise; and without which they cannot, in cases of such vast importance, be of essential service to the country. I shall only notice the resolutions entered into at the meeting which the honourable Gentleman has stated and explained in an extraordinary, though I readily admit in an ingenious way. The honourable Gentleman has stated in the course of his explanations, that it had been publicly avowed by the French Directory, that the Friends of Parliamentary reform would assist in carrying into effect the projected invasion of this country, and arguing upon that ground, he infers that the offer made in the present instance of the services of the avowed friends of Parliamentary reform to unite in the common defence of the kingdom, would convince the enemy that he had nothing to hope from that quarter. I hope the honourable Gentleman will forgive me, if I do not acquiesce in that part of his argument. For the Directory may reason in a very different manner: they may say, "tho' the friends of Parliamentary reform are rash, yet they are not so very rash as to declare how they will receive us. The greatest caution is a measure of necessity with them at present." The Directory may say, "they still are our very good friends, and better enabled to assist us." If the declaration of the friends of Parliamentary reform, alluded to by the honourable Gentleman in the resolution entered into by the Association for the united defence of the country be true, the French will not believe it; if it be not true, it will ultimately tend to favour the French. But, Sir, I beg leave to state, in the most explicit manner, that in making these observations I do not apply any thing particularly. The honourable Gentleman was chairman of the society which agreed to the resolutions, and though in that capacity he was deprived of various opportunities of displaying his eloquence, I am inclined to think he was not the most inactive member of it, for he certainly could communicate his thoughts through the medium of his active friends. I cannot but sincerely lament, that the honourable Gentleman has made the business a party matter, and proclaimed a difference in the Borough; and

and here, Sir, let me ask, how this conduct agrees with the avowed design of the honourable Gentleman in bringing forward unanimity? There is no secret in the resolutions entered into at the meetings held in the Borough, for they were printed, and I have them now in my hand. The honourable Gentleman sends the resolutions of the second meeting from door to door, and those of the first which were printed in the newspapers, shew the causes and grounds of the late political contentions. If we are, therefore, to judge of his sentiments, by those statements he clearly proves that he had not that unanimity in view of which he so warmly speaks. But when the hon. Gentleman thought proper to talk of reform, was it necessary for him at the same time to tell the French of the distress of this country? Was it necessary for him to tell them that the finances of the nation were ruined? Was it necessary for him to tell them that England is not what she was? Is this, Sir, a proper mode of acting in favour of the country? What is the real meaning of such language? Is it not directly saying to the enemy, "you are coming hither when England is not what she was in the time of Queen Elizabeth; when she is depressed and sinking under the heavy weight of a great national debt? What does all this amount to but to the encouraging expressions and assurances of "this is your time to come, hold out your hands and fraternize with us." When I seriously consider the obvious tendency of such language, I must express my regret that the honourable Gentleman has published his resolutions in the newspapers. I may venture to assert, that they have been already sent in the papers to other countries, and I dare say have, like other articles of important intelligence, been conveyed through the means of neutral ships. But all I now say is, that they are not very much calculated to terrify the enemy. I have the satisfaction to state, that a great many other resolutions for forming associations in defence of the country have been received from all parts of the kingdom, and they are resolutions which reflect the highest honour on those who joined them, as they display the most manly and unequivocal proofs of zeal and patriotism. They all go in their operation, not only to the means of acting with spirit and energy against the enemy, but to the preservation and security of internal peace and safety. I can assure the House, that the table on which they are laid, and which is as large as this, is every day covered with them. Yet I can state, with the fullest confidence, that among all the plans of association received every

day, there is not one which is like that presented from the Borough of Southwark. If the Gentlemen who came forward on that occasion are wise, their wisdom, I must confess, appears rather singular, and if the honourable Gentleman seriously meant by the lead which he took in those proceedings to guard in a secure manner his own chastity and virtue, I must assure him, that more parties than one are necessary for the attainment of that object. But in considering the measure which the honourable Gentleman professes to have adopted for the purpose of frightening the enemy, I must beg leave to ask, did it never occur to him that it was not a right thing to bring forward a proposition to shew to the enemy, and for the truth of which he is still an advocate, that the Executive Government is unable to wield the power of the kingdom with any salutary effect or beneficial consequences? (*A cry of hear! hear! from Mr. Tierney.*) Is this meant as a compliment? But in whatever sense it is meant, I mean to state, before I sit down, that the House will not act wisely, if they attempt after the discussion of the present question, to go into any enquiries. The consideration of the subject is confined within a very narrow compass. A plan of association agreed to by certain persons in the Borough of Southwark for the defence of the country, has been transmitted to the lord lieutenant of the county of Surrey; and he has not thought proper, after a candid and mature deliberation of the contents, to submit and recommend the adoption of the measure for his majesty's approbation. The lord lieutenant has unquestionably acted in conformity to the powers with which he is entrusted, and has not exercised the least right or privilege to which he is not fairly entitled. I think it necessary now to observe, that any difference or shade of political opinion ought in my mind to be no cause for rejecting the co-operation of any rank and description of men in the present important crisis of public affairs. But, Sir, I must also say, that there are descriptions of men in this country, who, whether we consider their principles or their views, are not fit to be trusted in the hour of danger. This consideration, however, belongs more particularly to the judgment and decision of the lords lieutenants of counties, who are, I maintain, invested with the power of recommending or rejecting according to the principles of prudence and wisdom, and in direct conformity to the law of the land, and to the spirit of the constitution."

Mr.

Mr. *Sheridan* spoke to the following effect:—Sir, it has a little excited my surprise to hear the right honourable Gentleman acknowledge the importance of the present question, and yet treat it as if it were of no importance at all. In my mind, in point of real importance, as it connects itself with the best interests of the country, in a crisis avowedly of real danger, than the present there could not have been brought forward a question more entitled to the candid, full, and deliberate consideration of this House. Yet so satisfied am I with the statements made by my honourable Friend, and so ably has he supported those statements by his arguments—arguments and statements too which have scarce been combatted, but certainly not refuted, that I should not have troubled the House at all but for one observation made by the right honourable Gentleman in the course of his speech. Sir, the right honourable Gentleman has this evening told us, nay, he has asserted it broadly as a proposition, which indeed he has offered to maintain, that there are to this country great numbers of seditious persons, who have formed themselves into societies under the specious title of Reformers, but whose real object is to overturn the constitution by assisting the French should they ever land in this country. This, Sir, is in truth, a very broad proposition, and without intending, any thing ludicrous, I must confess its capacity was not a little enlarged by the tone and gesture in which it was delivered. But the right honourable Gentleman cannot wonder if I deny assertions so generally made, and propositions so wide and unlimited in their scope. I am now told there are every where insidious lurking persons who cherish sentiments hostile to the Government. This is an accusation by no means new. It is, however much too loose and vague to be regarded with complacency. I will admit that there may be in this country, as there ever will be in every country, a few who urged, by I know not what spirit, a love of change—a passion probably once cherished by the right honourable Gentleman himself, or from worse motives, desire the overthrow of the Government. But while I am far from doubting that there may be bad men, I hope and believe they are few. It is with them, perhaps as with the grasshopper, they will make a noise, but they have too much timidity ever to be seen. Only alarmists could apprehend danger from such men. But we have often before now heard it stated in language not less confident, that in every corner of the kingdom sedition and treason in some degree exist. This, Sir, is a little unaccountable. If his Majesty's Ministers have not been all along deceiving us, it is not easy to imagine how in this crisis of

their mighty power a few obscure individuals could have become so formidable. Really there is in these matters something of the mysterious. A short time back so much of the Constitution was taken away to defend the rest, and for this proceeding the reasons stated by Ministers were chiefly, that the societies were every day growing dangerous; that principles hostile to good order and morality were hourly acquiring strength, and rapidly gaining on the individual mind. Strong measures were accordingly adopted, and until of late we have been uniformly told, that the memorable Treason and Sedition Bills had succeeded in effectually suppressing whatever of either existed in the country. But this night we are told; that not only has the distemper re-appeared, but treason and sedition are denounced to you, and the right honourable Gentleman has declared that they exist in a degree to damp the spirit, and repress the ardour of the country. [*A loud cry of Hear! Hear! accompanied with the assertion. "These were not his (Mr. Dundas's) words;"*] and Mr. Sheridan having re-asserted them.

Mr. Dundas rose. "I must, Sir, have been much misunderstood. What I said was, that in consequence of many improper persons having made offers to serve, and the appearance of a seditious faction, the spirits of the people and of the associations would be damped if Lords Lieutenants of counties, or if his Majesty's Ministers accepted of such offers of service."

Mr. Sheridan proceeded. "We have now, Sir, had the right honourable Gentleman's explanation, and I must say that if the people, if the martial spirit of the associations shall be damped by so small a number as the troop of seditiousists are said to consist of, the country is indeed in danger, and our situation is bad beyond example. There is, however, that in the declared zeal and patriotism of the great body of the people, which must quiet every rational mind, and make the general security depend, as it ought, on the courage, the perseverance, the resources, and the unincumbered strength of the country. Thus much, Sir, I have endeavoured to obviate the effect of that discouraging proposition; that there exist at this moment vast and formidable bodies of men hostile to the Government, and united to accelerate its fall. But there is one expression which it is impossible I should be able to contemplate without anxiety, or bring forward to the recollection of the honourable Gentleman without regret. The right honourable Secretary has told us that he regrets the circumstances which have obliged the officers of the Crown to put off the state trials; and do but attend to the very mischievous reason he has assigned for his regret—that he could not lay before this House the proofs of
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the guilt of particular bodies, and of the existence of multiplied conspiracies. "Sir, I am not one who has ever been unwilling to pay the tribute of applause justly due to an English jury, but if ever any thing could tend to influence a jury, it must be such an assertion as that of the right honourable Gentleman. In the critical and awful situation of the persons in confinement at Maidstone, nothing can be more unkind, to say the least, than the using expressions towards them which may have a tendency to impress individual minds with an unfavourable opinion of their conduct. That principle of the law of England, which holds a man to be innocent until he is found guilty by a jury of his Peers, to my mind conveys as sound and wise a maxim as ever was inculcated. Sir, it requires of us cautiously to avoid all occasions of expressing hastily, or in warmth, even doubts of the innocence of persons who may unfortunately stand accused of enormous crimes. If the right honourable Gentleman had but given that principle of our law its full weight in his deliberations, if he had regarded any thing that he owes to justice he would not have made such a speech. But, Sir, I can remember a period in our annals characterised by circumstances nor a little similar, and conduct very much like that of the present evening. The memorable epoch of the state trials is fresh in the recollection of Gentlemen. To this I particularly allude. At that period, eventful enough, God knows, we were assured by the right honourable Gentleman and his friends near him, that the whole country was menaced and in danger of being overrun by French principles, and the emissaries of the corresponding societies. I remember the proceedings of Parliament in the committees that were held on that occasion. Then, Sir, there were tremendous reports, whispers of dark and insidious conspiracies, of treason, and every other monstrous crime that could interest or disquiet the mind. We were then presented with profiles, and drawings of pikes, and of male and female screws. It was then the general boast of Ministers, that they possessed proofs of existing conspiracies, but they at the same time modestly told us, as has been insinuated this evening, they regretted, that while the trials were depending, they could not bring forward the proofs of existing conspiracies, of the treasonable mind within, and the corresponding danger from without. Happily, however, these auguries soon proved ill founded, and the verdict of an English jury declared the innocence of the accused. I do not say that the right honourable Gentlemen opposite to me think much of the verdict of a jury; but it is no unimportant fact, that the judge who pre-

sided

sided on that occasion, congratulated the jury on their verdict, and on the proofs that had been exhibited of those conspiracies, which had once so much alarmed the public mind, being wholly without foundation, or only the chimerical offspring of a faction, men without arms, ammunition, or means of any kind, and even without zeal. Sir, I must think we are on the present occasion as little in danger of being overwhelmed with conspirators as we were then. But though I think thus, the inference from the right honourable Gentleman's observation must be obvious. It must be felt that in substance the honourable Gentleman has insinuated that the prisoners are guilty. I have no knowledge of any of the prisoners except Mr. O'Connor, but I, Sir, regret that the trial at Maidstone was put off. I regret it for reasons very different, with feelings the reverse of those which appear to actuate the right honourable Gentleman. I regret it, Sir, because I am convinced Mr. Arthur O'Connor is not a traitor, and is incapable of acting hostilely against this country or its constitution. Having said this, I shall now take the liberty of making some observations on the question immediately before the House. The right honourable Gentleman has assumed, as a general proposition, the discretion vested in Lords Lieutenants: but all servants are responsible for their conduct. The whole question is, therefore, this---“Has my honourable Friend made out such a case as ought to induce this House to enter into the proposed enquiry, and as requires a justification of the conduct of my Lord Onslow?” I think this case has been made out; but so far from the right honourable Gentleman meeting the question fairly, he has not in any one instance attempted to discuss it. Instead of this, a great deal of the honourable Gentleman's speech was occupied with efforts to throw odium on the resolutions of the Borough of Southwark, which all comes to this---“Is it fit to tell the French that England is what England was?” But, Sir, it was not necessary that these resolutions should ever have been passed, to give the French all the information on this subject they can desire. They cannot think it necessary to refer to the Borough of Southwark to inform them, that we entered into the present war, strengthened by an alliance with almost every power in Europe, that we have lost our allies one by one; that Belgium is annexed to their Republic; that we have sustained great and grievous losses in the West Indies; that our own debt is increased two hundred millions, and that Ireland, our right hand, is in danger of being cut off.

“It

"It is complained of that these Resolutions have become too public, and they would find their way to France. Sir, I do not know that this will be the case; but I do know, that if the declarations of the Borough Association reached France, no candid or intelligent Frenchman will doubt the determination of that portion of his Majesty's subjects to defend their country, and assert their rights against invaders, of whatever description. But it appears to me that language, such as that held by the right hon. Gentleman, is every way unworthy of himself. At one time the thirst was after unanimity; now we are threatened with schisms; and if ever any thing serious to this country should be the effect of party animosity, that right hon. Gentleman and those who like to vex and wound the spirit of individuals will be alone to blame. It indeed is pretty evident that no offer of service, no declared intention to support the Executive Government in the hour of peril, no oblivion of political enmity will do, unless we came forward to declare the present war just and necessary, although we had in its commencement, and have uniformly since opposed it as unjust and unnecessary; that we must deny all our cherished and oldest principles; acknowledge those Ministers to have capacity whose incapacity we always have deplored; in fine, unless we bring along with us a certificate of our capacity, it appears to be the determination of his Majesty's Ministers that we shall not serve our country or be found in its ranks, fighting its battles in the hour of danger. Sir, I do not state this on light grounds. In my neighbourhood instances have occurred of conduct on the part of Ministers that warrant my conclusions. An hon. Gentleman, a member of this House (General Tarleton) than whom there is not a more loyal gallant person in it, has made an offer of his services, but no notice has been taken of that offer.

"The whole of this political proscription can therefore only mean that certain persons shall not be trusted with arms, because they have opposed Ministers. The right hon. Gentleman says, that the resolutions of the inhabitants of the Borough of Southwark tend only to invite the French to come to give them the fraternal hug. But so little do they express a desire to receive the fraternal kiss, that the Resolutions breathe a true English spirit. They contain expressions of undissembled love of their country, and tell the French—"If you come we are determined to repel you with all our might." The right hon. Gentleman has asserted with great boldness (I need not expect candour on that side of the House) that the motives of many persons who had offered their services were very questionable, and that the resolutions passed in the Borough had not a tendency

dency to produce unanimity. With respect to the last, the contrary of this is evident. And to hear men who have never been supported but from parsimonious motives, who have been buying at their price, all that have ever espoused their cause; to hear these men question the purity of motives is not surprising. They habitually, if not naturally ascribe those qualities to others which they know they inherit themselves. With respect to the tendency of the Resolutions I shall say, once for all, that if I was an inhabitant of the Borough, attending at the meeting in which those resolutions were adopted, and there should come into the room a man who should state that it had been said in the House of Commons that all reformers were friends of the French, and regarded as such by that people, the determination to resist them, expressed in one of their resolutions, would be to me the best proof that no such intention as that of assisting the French was ever entertained by the inhabitants of the Borough of Southwark. From all these considerations, Sir, I must say, I think it not candid or prudent in Ministers to shrink from this discussion, and refuse enquiry. I think they owe it to themselves, I know they owe it to their country." Mr. Sheridan concluded with saying, he heartily approved of the present motion, and would cordially vote for it.

Mr. *Bastard* could not think the present question of sufficient magnitude to make it an object worthy of discussion. All we should now look to was, that the country be properly defended. For his part, he could never agree in thinking that any man's character could be flurried by the discountenance of a Lord Lieutenant; if so, then his own character was aspersed; as he had offered to arm a number of his tenants at his own expence, but his offer was not attended to, nor was he the least hurt at this mark of inattention; it relieved him from all responsibility; it saved him some thousand pounds; and the country may be as well defended by others as by him; all he wished for was, that it might be effectually defended.

Lord *W. Russell* could not bring himself to agree with the hon. Gentleman who spoke last, that the question now before the House was not an object worthy of consideration; it plainly proved to his mind, that it was the plan of Ministers to proscribe every person who did not endeavour to support them in power; but as to the noble Lord, whose conduct on this occasion was brought under the consideration of the House, he for one could declare that for the ten years which he had the honour to represent the county of Surry, he had always experienced the greatest candour from that noble Lord; and he

was sure that his behaviour in this recent transaction should rather be ascribed to the intrusion of Ministers than to the natural disposition of the Lord Lieutenant of the county of Surry. Convinced, therefore, as he was, of their unwearied attempts to stigmatize every person who disapproved of their measures, he would vote for the proposed enquiry.

Mr. *Curwen* said, that he retained his former opinion of the incapacity of Ministers, and also his idea of the necessity of a Parliamentary Reform. These opinions he would again stir and support when the proper time returned for such discussions; but the infamous conduct of the French was now no longer to be endured; their attempts were first to be baffled and confounded; and when the danger drew near there would be found but very few indeed, if any, who would not come forward to meet and repel it.

Mr. *Martin* thought the conduct of Lords Lieutenants of counties should be subjected to a due degree of responsibility; they were named by the Crown, and if they were to be entrusted with an arbitrary and uncontrolled power, the liberties of the country would be at an end.

Mr. *Tierney* rose to reply; he said, that as there seemed to be no disposition in any Gentleman to say any thing farther upon the question, he now rose to avail himself of the privilege of replying to the arguments urged against his motion.

The *Chancellor of the Exchequer* said, that no gentleman had such a privilege. It was an indulgence allowed at first for the purposes of explanation, though it was perfectly competent for any other person to speak after a Gentleman who had brought forward a motion. He had come to the House with the intention of delivering his sentiments upon the subject; but every point of argument had been so ably urged by his right honourable Friend, and so inadequately answered, that he should think he had no apology to make in troubling the House. Should any thing be advanced by the hon. Gentleman which required an answer, he should not consider himself precluded from speaking.

Mr. *Tierney* said, he was aware that he had not a claim of strict right to be the last speaker; and this he had experienced on a former occasion, when the right hon. Gentleman had taken the opportunity of his having previously spoken in reply for a let off at him when he was prevented from replying. It was against this that he wished, if possible, to guard. It so happened on the present occasion that the cause of his rising and the right hon. Gentleman's declining to speak, was the same. He had heard no arguments used upon the other side to convince of the impropriety of his motion. The right hon. Gentleman

tleman did not seem to be acquainted with the provisions of the bill which had passed a month ago for the defence of the country, in which he had the good fortune to concur. By that bill the Lord Lieutenants of counties were required to make returns as soon as possible of the persons in their districts who were willing to serve, and on what terms. The Lord Lieutenant, however, was not called upon to recommend. The right hon. Gentleman wished to throw the odium of refusing the proffered service of any body of men upon the Lord Lieutenant, while the Secretary of State was the efficient manager. This, no doubt, was a very convenient arrangement, if Lords Lieutenants thought proper to submit to it. It was said, that to reject the officers proposed was a stronger measure than to reject the offer of an association. The distinction might not be a good one, but it was not the distinction of his argument, it was the defect of the bill. What he complained of was, that Lord Onslow had taken no steps to inform himself on the subject, but had thought proper, in a very abrupt manner, to throw a slur on the inhabitants of Southwark, by rejecting their services. Instead of courting information as he ought to have done, instead of wishing to have objections removed, he had avoided all examination and explanation. In doing this, had Lord Onslow done his duty to the country at the present momentous crisis? The conduct of Lord Onslow had tended to excite divisions, and to inflame animosities in the Borough of Southwark; he had thrown a slur on its inhabitants, and if any mode could be shewn by which they could challenge and compel him to give some reason for his conduct to them, they were determined to employ it. The previous resolution in which the reasons which induced them to come forward, so far from inviting the enemy, apprised them of the desperate resistance which they would have to encounter. We had been told that the French were to be frightened out of their wits by the unanimous addresses of the two Houses of Parliament pledging their lives and fortunes. Were the French then to be frightened by the paper shot of Parliament; and was the honest, firm, and zealous determination of the inhabitants of Southwark to have no effect upon them? If Burras reasoned as the right hon. Gentleman had supposed, and still continued to think, that the Reformers would abet their cause, the soldiers to be employed in the Expedition, would at least draw a different conclusion. They would not be encouraged to embark in the enterprize, by the information that those who were friendly to the Reform, would be first to resist their attempts upon the independence of the country. It was evident, however, that Ministers discouraged all offers of service; but from those who were friendly to their Administration,

administration, and would not willingly put arms into any hands but those which were ready to applaud their measures. His honourable friend beside him, (General Tarleton) was not the only instance. If the reports in circulation were to be credited, Ministers had rejected offers of service from another quarter, in which from the exalted station of the party, there could be no suspicion of disaffection, and had thus checked the zeal and spirit that was bursting forth in a quarter where the country would rejoice most to see it. This report, if true, added to many other instances where the same disposition was displayed, proved that ministers were averse to employ any but those who were ready implicitly to bow to their authority and to approve all their measures. It was said that the resolution in which the conduct of the Minister was held up to public disapprobation, was not calculated to procure unanimity. That resolution it was to be observed had not been read at all in the general meeting.

The first meeting held was indeed a party meeting, and the object of the resolution was to give value to their services, by shewing that they were extorted. At the general meeting, however, the plan of association was approved of by an assembly, where many present were friendly to the Minister's politics, and several alterations were adopted to accommodate them. The right honourable Gentleman observed, that if there was any violation of political purity there must be two parties concerned. How often the ministers were parties to such transactions he would not determine. But was there ever a period when greater temptation was held out for jobs? Did ever Ministers hold out greater advantages to those who joined them than the present ministers? It was necessary to shew that there was no job, no sinister motive in the support offered to Government. We had seen all principle degraded, all appearance of independence rendered suspected by the greediness with which offers were held out, and the avidity with which they were accepted. He was anxious, therefore, as well as those that acted with him, to guard his motives from suspicion, and to prove himself fit to be a soldier, by shewing that he was a man of honour. What then was the conduct of which he complained? Men were invited to offer their services, and when, in the loyalty of their honest hearts they did come forward, they were rejected without any reason assigned. It was for this that he arraigned the conduct of Lord Onslow; he demanded that he should be put upon this trial in the name of the inhabitants of Southwark; he called for some explanation of the insult which he had put upon them. At a time when

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they were loaded with so many grievances, when they voluntarily came forward with an offer of their services, was it prudent to send them back with an additional grievance more, and that too most cruel and insulting to their feelings? It was not that he was deficient in the politeness which, on such an occasion, might have been expected towards a member of Parliament; it was the slur thrown upon the inhabitants of Southwark, which ought to be wiped away. This might seem a slight matter to some Gentlemen; but in many cases it was a severe hardship, and a most painful injury. It was not an indifferent matter to a little tradesman to be suspected by his customers; it was not a slight injury to tell men already ground down by burdens, who made an effort to defend their country without any expence to Government, "you may go back; we cannot except your services!" What handle for the indulgence of animosity did this furnish to enflamed partisans? A line was now drawn between the services of those who were friends to the Minister's politics, and those who entertained different sentiments; and now they were to wait till the hour of danger arrived, ignorant whether their services were to be accepted, either in sullen discontent, or in pious resignation. The right honourable Gentleman said, that his office was filled every day with offers of association. Perhaps, however, he ought not to rely too much on the offers of which he boasted. Many were compelled to offer their services, many durst not refuse. The time might come when it would be found that one good man in the Borough would be of more service and deserve greater trust than a multitude of the signers of loyal addresses in favour of the Government as it stands. If by the Government as it stands, they mean the constitution of this country, then he was ready to concur with them; but if they meant the present administration, it was an insult to the sufferings of the nation which ministers had reduced to its present situation. If the present motion was rejected, the inhabitants of Southwark would be branded as unworthy to serve their country, their zeal and spirit would be checked, if without any reason assigned they could be liable to such insult. He begged Gentlemen to reflect calmly upon what might be the effect of such conduct. It was right for Government to be vigilant, and to be careful that arms should not be entrusted to improper persons; but at the same time it ought to beware of branding whole bodies of men as unworthy to be trusted with the defence of their country. Lords Lieutenants were not expected to possess a very uncommon share of wisdom, or if such expectations were entertained, they would be disappointed.

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They were not, therefore, to be called upon to exercise an extraordinary discretion. Few men had more confidence in the superiority of our navy than he had; but upon the element, where our success had been so much distinguished, fortune did much. It might happen then that English liberty would come to be defended on English ground. Was it wise, then, to open animosities and inflame parties, or insult whole bodies of men, by telling them that they are unworthy to be trusted with the defence of their country?

Mr. *Dundas* said, that the offer of the association in question had been made under the Volunteer Act, not under the late act for the better defence of the country.

Mr. H. *Thornton* wished that part of Mr. Tierney's speech should be corrected, in which he had represented the meeting, out of which his proposal for an armed association had originated, as a meeting of no particular political party. Mr. T. said, that his honourable colleague had called the first of his meetings by inviting only his own political friends, and that the subsequent meetings had grown out of the former; that the Gentlemen in the Borough who were friendly to Government, had hardly any of them attended those subsequent meetings, nor had considered themselves as generally invited to them. He observed, that an association had existed previous to that proposed by Mr. Tierney, who were, at the time of his application to Lord Onslow, inviting others to join them, and never rejected any offers made them. Most of the Gentlemen in the Borough had been unwilling to join themselves to the association proposed by Mr. Tierney, which was presumed to consist of persons entirely of one side in politics. Mr. Thornton concluded by saying that he did not wish to enter into a discussion of the particulars of this business, further than to remark that the idea of Mr. Tierney's association being considered as a general one in the Borough, and having no reference to party, as had been stated by Mr. Tierney, was contrary to what he understood to be the fact.

Mr. *Tierney* said, that the persons who were stated by the honourable Gentleman to have considered themselves as intruders, were more of spies.

Lord *Hawkesbury* could not think unanimity was much the object of men, who at their first meeting had passed resolutions hostile to his Majesty's Government, and called another meeting on the basis of these resolutions, affectedly professing to wish for unanimity. It having been acknowledged, that there were many political divisions in the Borough of Southwark, Lord *Hawkesbury* contended, that such resolutions

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tations would rather increase their animosity, than produce unanimity.

Mr. *Tierney* explained.

Mr. *Dundas* wished that no unfavourable impression should be made on the public mind in consequence of any thing he had said that might be applied to the prisoners at Maidstone. He was far from meaning to prejudice their cause, and had only stated generally, that if the trial had not been necessarily delayed, proofs would have been laid on the table of that House of the existence of great and alarming conspiracies.

Mr. *Sheridan* did not impute the intention of prejudging the prisoners to the right honourable Gentleman, but certainly his words would bear that construction.

The question being loudly called for, the House divided,

Ayes (for the motion) 22 *Noes* 141.

The other orders of the day were deferred. Adjourned.

HOUSE OF LORDS.

WEDNESDAY, *May 9.*

The Earl of *Mansfield* was sworn, and took his seat.

APPEAL.

JOSHUA SMITH, ESQ. *v.* SIR JAMES COCKBURN, BART.

AND HENRY JONES, GENT.

On this appeal, which we understand is from the Court of Exchequer, the appellant's counsel was heard at considerable length; after which their Lordships adjourned the further hearing till the next day. The counsel for the respondents were not less than five in number.

The several bills before the House were forwarded in their respective stages. Among those was the report of the Alien Bill, to which the amendment proposed the preceding day by the Lord Chancellor, being substantially to the following effect, was confirmed by the House, viz.

“That aliens abiding in the kingdom by the King's licence, pursuant to the directions of this act, shall not be liable to be arrested, imprisoned, or held to bail, &c. by reason of any debts, or other cause of actions, contracted in any parts beyond the seas, other than the dominions of his Majesty.”

After disposing of general business, their Lordships adjourned.

HOUSE OF COMMONS.

WEDNESDAY, *May 9.*

Sir W. *Lemon* brought up the report of the bill for regulating the departure of ships on common and uninclosed land. Read, agreed to, and ordered to be ingrossed.

Mr.

Mr. *Boddington's* Divorce Bill passed a Committee of the whole House.

PRISONERS OF WAR.

Mr. *W. Boodle* brought up the report of the Committee, to whom it was referred to consider of the treatment of prisoners of war.

The report was read; the substance of which is, that it is the opinion of the Committee, that the charge of cruelty towards French prisoners of war, brought against this country, is utterly void of foundation, and appears to be fabricated and brought forward by the enemy, to justify their own treatment to the British prisoners confined in France, and to irritate the people there against this nation.

That British prisoners of war, confined in France, have been treated with a rigour and inhumanity heretofore unused in civilized nations.

That the British Government have been always desirous of treating by cartel with France on fair and liberal terms, and would accede to any that were just and reasonable, and due to a nation; but that the refusal has arisen from the obstinacy of France, who had disregarded the law of nations with regard to prisoners of war, so grossly violated in the person of Sir Sydney Smith.

The report with the appendix, was ordered to be printed.

A message from the Lords informed the House, that the Lords had agreed to several public bills.

The Bill for better regulating Turnpike Roads was read a second time, and ordered to be committed to an open Committee, on the motion of Mr. Alderman Lushington.

The Bill for appropriating 200,000*l.* towards the reduction of the national debt was read a second time, and ordered to be committed to a Committee of the whole House the next day, on the motion of the Chancellor of the Exchequer.

The *Chancellor of the Exchequer* moved, That the Act of the 14 Geo. III. chap. 42. be read; which was done. It relates to the prohibiting the importation of light silver coin into Great Britain or Ireland.

The *Chancellor of the Exchequer* then moved, That leave be given to bring in a Bill to provide for the continuance of such Act for a time to be limited, and to suspend the coining of Silver. Granted.

The House, in a committee of the whole House, voted several resolutions relative to duties on articles in the Isle of Man.

Mr.

Mr. *Curwen* suggested the propriety of giving some time for the inhabitants of the place to know the Resolutions.

The *Chancellor of the Exchequer* observed, there would be an opportunity of discussing these Resolutions in Committees of the whole House some time hence, when the bills arrived at that stage. The House being resumed, the report was ordered to be received the next day.

LAND TAX SALE.

The *Chancellor of the Exchequer* moved the Order of the Day on the Land-Tax Bill, which was, that the Report be now taken into further consideration; the order being read, he moved that this bill be re-committed. Ordered.

He moved that the Speaker do now leave the Chair.

The question being then put for the Speaker leaving the Chair, in order to recommit the bill,

Lord *Sheffield* went over his former objections. He said he was by no means reconciled to the measure, nor had any thing he heard upon that subject obviated his objections; it was a measure unjust and oppressive upon the landholder; and if it had any tendency to benefit, it was at the sole expence of the landholder. It went to reduce the price of land, and the landed Gentleman was made a sacrifice. If the measure was to have any effect, where was the landed gentleman to get the money to buy his land-tax? If he procured the money, it must be drawn from sources where it was at present much more usefully employed; from the pursuits of agriculture, from manufacture, or from commerce. The consequence must be, a great stagnation in those branches. It would be impossible to borrow the money; for what monied man would lend his money, at legal interest, when he could make six per cent. in the Public Funds, with the prospect of increasing his capital 50 per cent. on the return of peace? For supposing the price of Stock to rise to 75, at the return of peace, the stockholder would, by that rise, increase his capital 50 per cent. Or supposing that some landed gentlemen were now in possession of stock enough to commute for their land-tax, would it be worth their giving six per cent. to receive only five and a half in exchange? Seeing, therefore, the measure both insufficient and oppressive, he should oppose its further progress.

Mr. *Peele* said, that this was a measure of such general professional concern, that he could not refrain from speaking his sentiments. He had not attended during the former discussions of this measure, but he understood that a great deal of violent language had been used against it. When, however, he look-
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ed into the bill, he found it so very inoffensive, that he was surpris'd the language of pique and resentment should be used against it. It seem'd to him a measure of such a nature, that none could object to it.. A noble Lord had consider'd it as an attack upon the landed interest; he saw no attack upon them; it only gave them a power to redeem themselves from a burden which was now impos'd upon them; or how could it affect the trade of the country? If persons were making eight or nine per cent. of their money in trade, they would not of course draw it out; or if they did, it was at their own choice. There was no compulsion in the case; the bill did not compel them to buy. In short, as a measure calculated to support the credit and interest of the country, he conceiv'd it entitl'd to his warmest support.

Mr. *Deauifon* declared, that he did not wish, at this crisis, to throw any obstacles in the way of the operations of Government; but this bill was so novel and pernicious in its principle, and so vexatious in its operation, that he must dissent from its being pass'd into a law. He took his stand upon the ground of the impolicy of the measure, and particularly at the time at which it was brought forward. This was the worst period which possibly could be chosen to call upon the landed gentlemen to redeem or purchase their land-tax; and if at other times better terms could be made, such times could and ought to be waited for. He conceiv'd it to be extremely unjust to put more than their share of burthen upon the landed interest. We were all engag'd in a common cause, and for the support of that cause we ought all to contribute our equal shares.

Sir *J. Sinclair* declared, that he consider'd this as an exceptional measure, and therefore he should oppose it, and state the reasons of such opposition. But before he went to the measure itself, he would state an objection to the legality of their proceedings. The House had already vot'd a Land Tax for the year 1798, at the sum of four shillings in the pound, and, consistent with their own orders and rules, that bill could not be repealed, alter'd, or amend'd in the same Sessions, without the House had reserv'd to themselves a special power for that purpose, by a clause in the bill. It had been usual to reserve such powers in some cases, and there was a distinction of the power reserv'd: in some cases it went only to alter and vary, and in others to repeal totally. This was the preliminary objection to which he wish'd to direct the attention of the House.

The *Chancellor of the Exchequer* said, that the honourable Baronet would certainly do right to settle the point of legality, as he termed it, before he entered into the principles of the measure.

Sir J. Sinclair then moved the reading of a clause in the act of 7 Geo. III. c. 4. and the clause in the land tax of the present year, giving a power to alter and vary it in the same session of Parliament. The clauses being both read, He said, he had moved, that these clauses should be read, in order to establish that distinction, that there were two different modes of reservation, the one of which went to the total of a bill, and the other only to alter and vary parts of it. And, indeed; so much was this distinction impressed upon the minds of the House, that in the bill of this session which was to regulate the qualifications of commissioners of the land tax, the bill had for its preamble, "an act to vary and alter so much of the land-tax as relates to the qualifications of commissioners." So the bill before the House ought to be entitled, "a bill for altering and varying the former bill, so far as relates to the particular objects in view." This he conceived to be an objection fatal to the measure, and that the House, consistent with its own rules and orders, could not proceed further in it.

The *Chancellor of the Exchequer* said, that the honourable Baronet had stated, that there was a power to vary, alter, and repeal any part of the act, and consequently to alter, vary, and repeal every part of the act alluded to, in succession. The House would determine whether this could be any thing short of a complete power to repeal the whole, if necessary. This was a question which he submitted to the House and the chair. Another answer which he gave to the honourable Baronet was this—that this bill did not propose to alter, vary, or repeal the land tax bill for the present year in any one instance, or in any one clause whatever. The House had voted a land tax for the year 1798, and this bill left the provisions for the year 1798 exactly as it found them. The only difference was this, that whereas by the annual bill, the duty would cease at the expiration of that act, by the operation of the present bill the duties were continued. The other regulations respecting the terms of purchase, &c. did not in the smallest degree apply to the present year. The honourable Baronet's argument, he therefore thought defective, as there was sufficient power to repeal the bill imposing the land-tax, even during the present session; and if there was not, this measure did not require it.

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The *Speaker* said, this was a question upon which it was impossible for him to give any opinion. The House had heard both the clauses read, and they would determine upon them. At the same time, if they required his opinion, he would give it. It was his duty to bring to their recollection their rules and orders, and when he had done so; it was for themselves to determine any question. He had no hesitation in saying, that he thought the present measure did not in the least touch upon the land tax act for the year, and that without the reservation in the act, this bill did not infringe upon the rule which prohibits the same measure to be twice agitated in the same session; but that if it did in effect, the reservation contained in the former bill was fully sufficient to justify the measure. The land tax act imposed a duty of 4s. in the pound for the year 1798, and this bill perpetuates that duty; so that this bill commenced its operation when the other ceased to act.

Sir *John Sinclair* resumed.—He objected to the measure on constitutional grounds, as it took away the check which that House had upon the supplies to be granted to the crown annually. Other taxes, which depended upon passion and prejudice, such as those upon snuff, tobacco, and sugar, might fail, but land was a sure source of revenue: yet a land-tax was in itself a tax both unequal and unequal, and therefore ought not to be perpetuated; and he would state the opinion of a former Chancellor of the Exchequer upon this subject. In the year 1732, when Sir *R. Walpole* was Chancellor of the Exchequer, he proposed to reduce the land tax to one shilling in the pound. He was opposed by some Gentleman: and in answer he said, that a land-tax was the most unjust of all taxes, and that it ought never to be imposed but in cases of the greatest necessity. He made a wonder of it at that time, that a tax so unequal and unjust should have lasted for forty years. But it was reserved for the present Chancellor of the Exchequer to come forward with a proposition for making it perpetual, and to threaten the kingdom with an unlimited impost upon land, which, in fact, was the case if the principle of this bill was once admitted. He had other objections, and particularly, as was stated by the noble Lord, to the mischiefs that would arise to the interests of agriculture, by withdrawing money from agricultural pursuits. Nor will this be the only evil, for a tax upon land according to its value, would ever be a great impediment and obstacle to improvement. He doubted also very much as to the efficacy of the

measure; he saw no reason that should induce the monied men to exchange their stock for this new sort of security. He hoped, therefore, the House would see the propriety of deferring the bill until the next session of Parliament. Nothing could be done in it until the 25th of March next, as, until that time, the landholder was not called upon to declare whether he would purchase or not. Let it then be amended, with all the clauses which the hon. Gentleman wished to propose, and then printed and circulated through the country. By the next session of Parliament, if it was so very good a measure, the public would well understand it, and support it with zeal. Upon these grounds, he should oppose the Speaker's leaving the chair, and move, that the further consideration should be deferred until the next session of Parliament.

Mr. *Jones* opposed the bill very warmly; he thought it unconstitutional and dangerous; he hoped there was but one heart and one hand in this country against the common enemy; that if we had a long pull we should have a strong pull, and a pull altogether—but not by such a measure as this; he wished with all his heart the Minister would come forward at once with a plan to take the tenth of the income of every person in the kingdom to support this contest.

Mr. *Burdon* disagreed from the hon. Gentleman who spoke last, as to the tendency of this measure, which he thought would prove highly beneficial in its effects.

Sir John Sinclair explained.

Colonel *Elford* said, that he should detain the House a very few minutes, but that he wished to make a few observations on what had fallen from several gentlemen who opposed the measure, which had his most hearty assent; because he could not see any of those evils which had been predicted of it, and because none of the objections did, in his opinion, go materially against the principle of the bill. As to that which related to the constitutional ground, it was, in his mind, completely done away, by the provision which made a quantum of the present permanent taxes annual, in proportion to the quantum of annual tax which might be rendered permanent by the operation of this measure. The objection made by a noble Lord, and another honourable Gentleman that probably the taxes on Sugar, Tobacco, and Snuff, might fall off, did not apply; for that the danger to the Constitution arose from the Executive Power having too large a fixed and permanent income, and from that House not having the check of granting annually a certain proportion of the revenue. With respect to the benefits to be derived from the measure, he was persuaded they would

would be co-extensive with the operation of the bill ; that if the whole was sold, a certain benefit would accrue to the public, and if half only should be disposed of, half the benefit would be derived. There was no obligation to purchase, and the proprietor of land, if he did not choose to purchase, remained just as he was before ; for he could not lay much stress on what had been urged about the feelings of gentlemen who did not purchase their own Land Tax. There did, however, appear to him one objection of a more solid nature, and that was, the injury which would be sustained by the persons whom this measure would chiefly affect, if a period should arrive when the circumstances of the country would admit of the Land Tax being reduced to a less rate than four shillings in the pound ; and he thought that if any clause could be devised, by which persons who had purchased their Land Tax at the rate of four shillings, should be ensured some recompense or immunity, in such an event, it ought to be adopted. He was sensible of the great difficulty of forming such a clause, because it was almost impossible to fix a criterion by which the period could be ascertained ; but if such a clause could not be introduced, he trusted that the good sense and the justice of a future legislature would take the matter into consideration, whenever the circumstances of the country should hereafter point out the propriety of adopting it.—Gentlemen had said, this was not the proper time for making an innovation like that now under consideration : he, on the contrary, thought this was the most proper time—it was the danger and difficulty of the present moment which imperiously called for the adoption of some great financial operation like the present, and what in times of security and tranquillity was a matter of indifference, was now a case of urgency and necessity. We were engaged in a war with an implacable and revengeful enemy, who threatened the destruction of these kingdoms, and who were pursuing every means in their power to carry these threats into execution. Whatever surmises gentlemen might have heretofore made on the probable effects of the French Revolution, the events of the last eight or ten months had rendered them no longer an object of speculation, but of positive certainty ; their designs were now clearly developed ; their plans were clearly to revolutionize and overturn every Government. Whether they came as friends, with offers of amity, or as enemies, with threats of extermination, their approach was equally baleful and equally destructive. They had conquered by appealing to and exciting the worst passions ; they had first deluded, and then subjugated the countries over which they now had dominion. Who-

ever

ever still doubted it, might look at Genoa, Tuscany, the Cisalpine Republic, Holland, and Venice; at this last place particularly, after having, by the basest act of treachery, got possession of the government; after having plundered the arsenal, the treasury, and the people, did they leave them to choose a government for themselves? No; in utter dereliction of all their principles; or rather their pretensions, they had assigned them over to an absolute monarch, they themselves having sworn eternal hatred to royalty. If this did not satisfy gentlemen's minds, let them look at what had passed lately in the capital of an empire, the sovereign of which had entered into a recent Treaty of Peace with the French Government.—Some person here calling to order, the Speaker explained the practice.—Col. Elford said, that he certainly was in order, for that he was arguing from the general system of the enemy, as to the necessity of adopting strong measures in this country; that, however, he would not proceed further, nor take up more time of the House than to add, that he thought it was the dangerous situation in which the country stood that particularly called for every effort on our part; that the present measure would prove highly beneficial and efficacious, and that, as such, he should give it his most hearty support.

Mr. Ellison said, the present was a period which called for the strongest exertions from all classes of people. It made no difference whether a man's property lay in land or not, it was both his duty and his interest to give that property to support the public cause. If they did not, they would probably soon have neither life nor property to give. In the part of the country in which he lived, the people were unanimous in their determination to support the common cause. His property in general lay in land, but that did not make any difference to him, because had his property been of a different sort, still he should have supported this measure. He could not conceive that, as a land-holder, he would be in a worse situation after this bill passed than he was at present; on the contrary, he thought this measure held out very considerable benefits to him in that character.—With respect to the observation, that this plan, if carried into execution, would afford greater facility to the imposition of a new Land Tax, he could not see the least foundation for it, because it was always in the power of Parliament to augment the Land Tax if occasion required it; and this measure, if agreed to, could neither add to, nor take from that power. He agreed with an hon. Member who spoke before him, in a wish that a tax could be laid upon all property equally—Before he sat down he wished to make one observation,

tion, if it was not irregular, which was, that in all the places where he had acted as a Commissioner to receive appeals upon assesses taxes, the only complaint he ever heard against them was, that they did not attach equally.

The House then divided upon the amendment,

Ayes, 27 Noes 124.

The House then resolved itself into a Committee, Mr. Douglas in the chair.

Mr. *Hussey* expressed, in the strongest manner, his wish that the Minister would adopt a plan for laying an equal tax upon all property. With respect to the present measure, one of his strongest objections to it was, that the land tax, as at present existing, was unequal, consequently that inequality would be perpetuated, without the hope of relief. In the various land-tax acts, the tax was apportioned out to the counties; but the acts did not declare in what manner the repartition was to be made in the counties, consequently, it was sometimes levied in an unequal manner; but no provision was made in this bill to rectify these errors; on the contrary, they were to exist for ever.

The *Chancellor of the Exchequer* said, that with respect to the observation which had fallen from the honourable Gentleman who spoke last, as well as from some other honourable Member, recommending a tax upon all property, he begged to say, that he perfectly concurred in the principle of taxing in proportion to property, and had gone farther in carrying that principle into practice than any of his predecessors. Whenever any plan could be suggested, by which a tax of that kind could be fairly laid on, he should consider it as a great financial discovery.

The next objection made by the honourable Gentleman was, that the present land-tax was unequal, and that this plan would perpetuate that inequality. This he really considered rather as a recommendation of the measure than an objection to it. If the land-tax was not made perpetual by this bill, was there any gentleman sanguine enough to suppose that there was a chance of its being reduced? But when Gentlemen talked of making the tax equal, before they perpetuated it, they should recollect, that there were conveyances, settlements, &c. made, which they could not at present, with any degree of justice, alter.---If ever a period should come in which it might be necessary to impose a fresh tax, it most undoubtedly ought to be equal; but he thought it would be great injustice to equalize retrospectively. If Gentlemen would consider this subject, they would not find this injustice of which they talked.

WOODFALL'S PARLIAMENTARY REPORTS [Continued,
talked. Those who now paid a small land-tax, would have
but a small sum to pay for its redemption; and those who paid
a large sum would, by purchasing their tax, be freed from the
payment of a large sum annually. With respect to what the
honourable Gentleman had said about the repartition of the
tax in counties, he believed he was not quite correct in his
statement, because there were clauses to that effect in various
Acts of Parliament.

The several clauses and provisions of the bill, together with
a variety of amendments, were, in the course of a long and
desultory conversation, in which the Solicitor General, Lord
Sheffield, Messrs. Jolliffe, Vansittart, Burdon, Sir M. W.
Ridley, Mr. Wood, and the Chancellor of the Exchequer,
bore the principal parts, agreed to by the Committee.

In the course of the foregoing discussions, the probable con-
tingency of the adoption of a new land-tax, and the reciprocal
effect which such a measure, and that under consideration,
must have, being referred to by one or two Gentlemen.

The *Chancellor of the Exchequer* conceived it necessary to
say a very few words upon that point. It was certain, he ob-
served, that the necessities of the State might be such as to ren-
der the adoption of the measure alluded to expedient, at a fu-
ture period; but in such a case, it was his opinion, that the
tax should be made as correctly equal as the nature of it would
admit; that such impositions should take place on the nett in-
come of estates, after paying the old land-tax, and not on a
calculation of the gross amount of estates, including that in-
cumbance. The adoption of this rule, as a general prin-
ciple, he conceived to be the least uncertain guide to the ar-
riving at a correct equality in the distribution of the tax.

In a subsequent part of the discussion, the Chancellor of the
Exchequer had occasion to remark upon what was a very im-
portant consideration, but at the same time, a questionable ex-
pedient in the line of policy, namely, whether there should
be certain periods for the revision of a future land-tax. Such
a proceeding would be desirable, but then it was also attended
with its disadvantages. Were such revisions too frequent, they
would obviously operate as a check upon agriculture and landed
improvements; were the tax to be rendered perpetual; and
without revival, it certainly must relapse into that inequality
so much complained of in the old land-tax.

After the clauses in the bill were disposed of, several others
were proposed by the Solicitor General, some as additional pro-
visions, and others as substitutes for clauses which were to be
expunged.

expunged. These new clauses, and the latter proceeding, were adopted by the Committee.

In reply to a suggestion from the other side of the House, of recommitting the bill,

The Chancellor of the Exchequer deemed it incumbent on him to oppose such a proceeding, on the ground of unnecessary delay, and tending to produce confusion; the objections of Gentlemen could be as fully and more regularly discussed on the report of the bill. What he would propose in the present instance was, that the report be immediately received on the resuming of the House, that the bill with the amendments might forthwith be printed, and to appoint an early day in the ensuing week for their consideration.

The House then resumed.

The *Speaker* having taken the chair, the report was immediately received, the bill, with the several amendments, ordered to be printed, and to be taken into further consideration on Tuesday next.

The bill with the amendments in the meantime to be printed.

The Chancellor of the Exchequer brought up the bill for reviving and amending the Act of the 14th of George the Third, relative to the silver coinage, which was read a first time, and ordered to be read a second time the next day.

The other orders of the day were then postponed. Adjourned.

The following is a list of the Minority who voted against the commitment of the Land Tax Sale Bill:

Ashley, Col.	Pierrepont, E.
Besford, J. P.	Plumer, W.
Blackburne, J. junr.	Rushleigh, P.
Cavendish, Lord G.	Ridley, Sir M. W.
Denison, J.	Sheffield, Lord
Fletcher, Sir H.	Stclair, Sir J.
Hamblyn, Sir H.	Sturt, C.
Halsey, W.	Tarleton, B.
Jones, T.	Tierney, G.
Jolliffe, W.	Vyner, R.
Kemp, T.	Walpole, General
Lemon, Sir W.	Western, C. C.
Lloyd, —	Wilson, R.
Martin, J.	Wilkins, W.
Pierce, N.	

} (Tellers)

HOUSE OF LORDS.

THURSDAY, May 10.

The Royal Assent was given by commission to the additional Salt Duty, the Tea Excise, the House and Window Duty,
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the salt tax, and carriage duty, the (wilt) property and
the Scotch militia bills, and also to three private bills. The
Lords commissioners on this occasion were, His Royal High-
ness the Duke of Clarence, the Lord Chancellor, and the
Earl of Chesterfield,

APPEAL.

SMITH & COCKBURN AND JONES.

Counsel were heard at some length in continuation relative
to this case. Their Lordships postponed the further hear-
ing till the next day.

The several bills before the House were forwarded in their
respective stages, and a number of private bills were present-
ed from the House of Commons; which being read a first
time, their Lordships adjourned till next day.

HOUSE OF COMMONS.

THURSDAY, May 10.

Mr. Boddington's Divorce bill was read a third time and
passed.

The bill for regulating the depasture of sheep on commons
and unclosed land, was read a third time and passed.

The *Chancellor of the Exchequer* moved, that the House do
the next day resolve itself into a Committee of the whole
House to consider of the duty on salt. — Ordered.

The *Chancellor of the Exchequer* said, that on Monday he
should bring forward his motion relative to imports and ex-
ports.

The House being summoned to the House of Peers to hear
the Royal Assent given by Commission, and the Speaker hav-
ing returned, informed the House that he had been in the
House of Peers, where the Royal Assent was notified to the
Bill for granting to his Majesty an additional duty on salt,
to the Bill for an additional duty of excise on tea, and to the
additional assessment on houses, &c. in lieu of the clock and
watch duty.

YEOMANRY CAVALRY.

Mr. Secretary Dundas said, he was now about to bring
forward a subject which he had postponed from day to day
on account of the difference of opinion which he understood
to exist upon it; but he apprehended that, from the manner
in which he should now bring it forward, there would be
no difference of opinion upon it. Many gentlemen belong-
ing to the yeomanry cavalry had expressed a wish that they
might

might assemble together in larger bodies than they now had an opportunity of doing, to learn their exercise; this they could not do without authority. In many places they had the opportunity; in Kent, for instance, and in Hampshire, they could meet near their own houses in large bodies, there being places fitted up for their reception; and therefore there was no necessity for any provision with regard to them. In other counties the inconvenience was very great, on account of the troops being scattered at a great distance from each other; they were desirous that his Majesty might be empowered to billet them on some spot, near to which a large body of them in each county might exercise for three or four, or any other number of the twenty-one days; and that his Majesty might make for them the necessary allowance for expenses of quarters, &c. that was the whole of the object he had in view; and therefore he moved, that leave be given to bring in a bill for authorizing the billeting such parts of the troops of the Yeomanry Cavalry as may be desirous of assembling for the purpose of being trained.—
Granted.

IMPORTATION OF CORN.

Mr. Alderman *Lusington* moved, that the House do resolve itself into a Committee of the whole House, to consider of the loss sustained by the British importers of corn, from the first of November 1795, to the 30th of April 1796.

The *Speaker* asked if this motion was made with a view of moving in the Committee for remuneration to be made out of the public money?

Mr. Alderman *Lusington* said, it was not with that view in the first instance; but for the purpose of making an enquiry which might ultimately lead to that.

The *Chancellor of the Exchequer* thought that the House ought not to go into a Committee for such a purpose, unless some statement was made to shew its propriety.

Mr. Alderman *Lusington* then desired that the report of the Committee upon the subject might be now read; which being done, he proposed to detail the causes of the scarcity of corn in this country, at the end of the year 1795, and beginning of 1796; the necessity that Parliament felt for, and the encouragement they gave to importation of corn, to prevent the horrors of famine. He stated at large the understanding that subsisted between the Executive Government and the owners and importers of corn; the latter of whom were desired to deliver out corn but in small quantities, to prevent the

the corn from being too hastily consumed; and he observed that the agents of Government did not keep good faith with corn owners; but by their conduct caused corn to advance in price in foreign markets, at one time when the merchants were importing it, and afterwards caused it to fall in price, by bringing the stock government had to market at once, by which many of the corn merchants had sustained very heavy losses; for which they had now, if not a legal demand, certainly an equitable claim on the public for remuneration. Having expatiated on these topics, he moved that the House do resolve itself into a Committee of the whole House, for the purpose of taking into consideration the loss sustained by the British importers of corn, from the first of November 1795, to the 30th of April 1796.

Colonel *Stanley* hoped that some indemnity would be granted to the merchants in this case, as many of his constituents in Lancashire entertained that hope.

Mr. *Ryder* opposed going into the Committee; he contended that if any persons had suffered by their speculations in corn, it was precisely the same as any other mercantile speculation; and it would be setting a most dangerous example, indeed, if the public purse was to be called upon to make good to individuals any losses they might sustain in that manner. With respect to what the worthy Alderman had said of Government having caused a very great reduction of the price, by throwing such quantities of corn into the market, the fact was, that at the time of the great reduction in the price took place, the supply of Government was not above one-fourth as much as it was at the time when the price continued so high, which was about 7400 quarters per week. As to Government having kept a large quantity on hand, he conceived they would have acted with great impropriety if they had not made some reserve in order to supply the capital, in case other supplies failed. He was sure, that no man who considered what the effect of a scarcity must be in so large a capital as this, could blame Parliament for their conduct. Upon these grounds, he should oppose this motion, which tended to establish a precedent, in his opinion, highly dangerous.

Lord *Sheffield* said, he understood that the application here was not to give any thing, but only to go into an enquiry. He thought the House ought to hear what the merchants had to say for themselves. They had hitherto only heard a statement on the part of the Government that their agents acted properly.

properly. That was mere assertion, and he thought that the House would not be so unjust as not to give the merchants an opportunity of stating what their case is.

Mr. *Burdon* said, that this was a case of very considerable delicacy, he hardly knew how to vote upon it; he thought it would be proper to appoint Commissioners to enquire into facts upon this matter,

Mr. Alderman Mr. *Curtis* assented to what had been said by the worthy Alderman, his colleague, as to the delivering out of corn in small quantities by the merchants. He knew that great losses had been sustained by many individuals upon the scheme of importation and subsequent sale of corn, for many of those individuals he had the highest respect, and it would hurt his feelings to oppose any measure that had for its object the relieving them; but he must remember that he had a public trust committed to his care as a Member of Parliament. He must add also that a great part of the loss that had been sustained in this business had arisen from the strong desire the merchants had to get more than they ought upon the speculations in corn. They were told at one time by Government, that they must be answerable for the safety of the Capital. He felt it his duty to resist this application, considering the granting it as a bad precedent, and considering also that many of the complaints made upon this subject were not founded in justice.

Mr. *Martin* thought the worthy Alderman spoke very fairly; he had no disrespect to the Gentlemen who laid in their claim to compensation; if they speculated purely for the good of the public, they but to be remunerated; and in that case an enquiry would be proper; but if he should be convinced they did nothing but with a view to their own advantage, he should not vote for them.

Mr. *Sheridan* said, he was not in general a friend to commercial remunerations, for they were commonly given where no benefit was intended to the public by the speculators who receive them; but that was not the question here; the question was, whether those who sustained a loss by the conduct of Government, should not have something in return to indemnify them. He maintained that Government gave the merchants encouragement to import corn, and afterwards caused them to sustain great losses upon that speculation; and now they had a claim, if not upon the justice, certainly on the liberality and on the equity of the House. If the loss had arisen from their own greediness, or their own folly, he should not be for allowing them any thing; if there were, in short, any among the merchants who had sustained losses, and who had only speculated

lated with a view to their own advantage, they ought to be excluded from any relief; but the House ought not to confound the innocent with the guilty, and if he was rightly informed, there were but few indeed in the latter situation. It was said, that this would be a pernicious precedent if assented to. He did not think that Ministers always thought that to make compensation to individuals for losses was pernicious, it did appear to be their wish, when they proposed to grant a *bonus* to those who had lost by the Loyalty Loan. In the present case the Report of the Committee, already referred to by the worthy Alderman who brought this subject forward, justified the application before the House. [Here Mr. Sheridan read several parts of the Report in support of his opinion] and then observed, that the present question was not, whether the House would give to the merchants an indemnity; but whether they would put themselves in a situation to know who are, and who are not sufferers, in consequence of the conduct of Government upon the subject of the importation of corn? He maintained that Government did not give notice of the quantity of corn they had upon their hands; the merchants thought that Government had been exhausting their stock, and therefore they imported largely; but when the merchants supply had arrived, Government poured in their stock, so that the price fell, and the merchants became great losers in their attempt to serve the country in the most essential manner. From the conduct of Government it appeared, that corn was extremely scarce in this country, that made the owners of corn abroad think they could charge almost any price for it to the merchants and private purchasers, that put merchants in a situation which they ought not to be put in, nor would they have been in that situation had Government kept their word. He thought, taking all the circumstances of this case together, there ought, at least, to be an enquiry into the matter; and he thought that this was a moment peculiarly delicate with regard to the character of Government for doing justice to those who had claims upon them. Men of all descriptions were called upon to shew their zeal in support of Government, and to make very large sacrifices for that purpose. It was expected that no man would consider himself, but would consider the situation of the country; and the Legislature had said, that if persons should kill their cattle, or destroy any of their property to prevent its falling into the hands of the enemy, they shall be indemnified out of the public purse, and have complete compensation; it would be a bad specimen of the justice of the House to refuse to hear the case of the merchants, who had sustained such losses as these, and an indifferent inducement

ments for any persons to adventure again in any speculation for the benefit of the public.

The Chancellor of the Exchequer contended, that the statements in the report did not justify the conclusions of the honourable Gentlemen who spoke last, as to Government being to blame on this subject. The noble Lord who had spoken in this debate, had been under a misapprehension; he thought it would be an indecent thing to refuse inquiry into the situation of this case; the truth was, that such inquiry was made, and the result of it had now been on the table for many months, and nothing concerning it was ever brought forward till now, and the question was, whether there was enough laid before the House to call for any further proceeding? With a strong disposition to allow, if practicable, relief to hard cases, he was completely satisfied, that without great danger of abuse in the disbursement of the public money this claim could not be allowed, or even the application for it entertained. He therefore thought it would be fairer and more candid to refuse the application at once. He thought it the duty of the House to give it a direct negative; for otherwise they would be holding out hopes to the claimants, without a chance of their having any ultimate relief, for he was perfectly satisfied that the result of an enquiry would be, that the House would reject the claim; it was on that ground his vote would be decided. But the honourable Gentleman, who spoke last, assumed that the merchants had a case, because Government did not inform them of the quantity of corn they had. If they had applied for information, they would have had an answer: they did not apply, and therefore it was most evident they did not think the information was material. Independent of this, the information was withheld from the public for very good reasons, for by a disclosure of the fact, the price of corn would have been much increased, and the merchant would have extended his speculations still further, if he knew the real quantity of corn then in the hands of Government; and therefore his loss would have been greater than it had been. Besides, Government could not at that time have any but a loose account if applied for, because they had not then an accurate account themselves; but had they given the account they had to the merchants, the cause of complaint, which they urged now, would have been greater than at present. He then explained the reasons why the agents of Government purchased corn at the time in question; it was not to sell again, but for consumption in the public service, and was an act of unavoidable necessity. The whole of the conduct of Government in limiting the quantity

to be delivered out for sale, from time to time, was to subject a small pressure to be felt, to prevent a greater pressure from coming on the public; it was an act of prudent caution on the part of Government to prevent too great and sudden a consumption of corn, by which a dreadful evil might be occasioned, by which a dearth might be converted into a famine. Government did not lower the price of corn by bringing their corn forward: for the fact was the very reverse. Government came forward with corn for sale, and two or three weeks elapsed before their sale made any considerable impression, and there was not the smallest pretence to say that they lowered the price, as had been stated; the fact was, that between that time and the time of harvest, the interval was too short to create an artificial scarcity by speculation. The secret of the matter was, that the fall of price was not owing to the supply of Government; but to their counteracting the devices of speculators, turning their tricks against themselves, and disappointing men who wished to create a public distress in order to profit by it. That some well meaning and honourable men had sustained losses, he was ready to admit, and he felt for them; but that was an inconvenience to which all speculation was liable, and for which sometimes there was no remedy; there could be no reason for such a loss being defrayed out of the purse of the nation. These persons had not been injured by Government not keeping its engagement; Government did all that Government was engaged to do. To say that these persons should be indemnified by the public, was, in other words to say, that whenever men suffer by speculation, the public shall make good their losses. In short, there never was less ground for an application than there was for the present; and he felt it his public duty to give his unqualified opposition to it in its earliest stage.

Mr. *Sheridan*, in reply, contended, that government had intelligence of a quantity of corn to be disposed of in the foreign markets, of which intelligence they profited by keeping it a secret from the merchants, who are now injured by the transaction.

After a few words in explanation from Mr. D. *Ryder*, the House divided on Mr. Alderman *Lushington's* motion.

Ayes 24 Noes 63

A message from the Lords acquainted the House, that their Lordships had agreed to the Alien act, and to several private bills.

Sir *Wm. Geary* presented a petition in behalf of the Veterinary College, praying for pecuniary aid, as their ~~substances~~ ^{were}

were much embarrassed, notwithstanding the observance of the most rigid frugality.—Ordered to be laid on the table.

The National Debt Reduction bill went through a Committee, and the report was ordered to be received the next day.

SILVER COIN.

The bill for prohibiting light silver coin was read a second time, and on the motion of Mr. Pitt was about to be committed the next day; but

Mr. Alderman Curtis thought there was much in the bill that required mature deliberation; it might prove a great hardship to many persons who now sent silver into the Mint on the faith of existing acts of Parliament; he trusted, therefore, the right hon. Gentleman would not press the Committee on the bill on so early a day.

The Chancellor of the Exchequer by no means wished the bill should be pressed forward without the fullest consideration.—He would therefore move that it be committed on Monday next, which was ordered.

The bill for imposing an additional duty on rum, &c. imported into the island of Newfoundland, was read a first time, and ordered to be read a second time the next day, after a few words from Mr. Jeffrey (of Poole.)

SLAVE CARRYING BILL.

Sir Wm. Dalben then moved, that the House do now resolve itself into a Committee to consider further of the Slave Carrying bill.

The House resolved itself accordingly into the said Committee, when

Mr. Wm. Smith proposed a clause for increasing the height of ships between decks, which he contended should not be less than five feet perpendicular.

General Tarleton opposed the clause, as there was no argument adduced to prove its necessity from any recent instance of inconvenience, or any new calamity or cruelty on the part of the captains of ships so employed. The mortality among the slaves was not near so great as on board the ships employed as transports for the troops to the West-Indies.

Sir Wm. Young was for exerting every endeavour to narrow and contract the Slave Trade as much as possible. He would therefore support the clause.

Mr. Sewell opposed the clause; and said that, if it was negatived, he would bring forward a clause proposing a certain scale in slave-carrying ships, to regulate their depth:—those of 150

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 ton and under, should have 4 feet 4 inches depth; those of 200
 ton, 4 feet 6; of 250 ton, 4 feet 10; those above 250 ton, 5
 feet 2; and those of 300 ton and upwards, 5 feet 8.

Colonel *Gascoigne* and Mr. *Sewell* opposed the clause, which
 was supported by Mr. *Smith* and Mr. *Vanfittart*, after which the
 House divided,

<i>Ayes</i>	34
<i>Noes</i>	6

Mr. *Wm. Smith* next proposed a clause for regulating the
 superficial space for each slave which he estimated at eight feet,
 and which he asserted on the authority of the inspector of the
 transports (Sir T. Fitzpatrick) was the smallest that could pos-
 sibly be allowed for each person.

This clause was warmly opposed by Colonel *Gascoigne*, Mr.
Sewell, and General *Tarleton*; after which the House again
 divided,

<i>Ayes</i>	34
<i>Noes</i>	5

The other clauses were agreed to, and the report was order-
 ed to be received on Monday. Adjourned.

HOUSE OF LORDS.

FRIDAY, May 11.

APPEAL.

SMITH V. COCKBURN AND JONES.

The appellant's counsel were heard at considerable length in
 reply; after which their Lordships adjourned the further con-
 sideration of the case till Monday.

The various bills before the House were forwarded in their
 respective stages; and seven private bills were brought up from
 the House of Commons, which being read a first time, an ad-
 journment till Monday took place.

HOUSE OF COMMONS.

FRIDAY, May 11.

NEWSPAPERS.

The *Attorney General* brought in a bill for regulating the
 publication of newspapers, and for directing an affidavit to be
 filed, containing the names, &c. of the Printers, Proprietors,
 Editors, Conductors and Publishers, specifying the places
 where the newspapers are published; and that such affidavit
 may

may be produced as evidence in a Court of Law. Read a first time, and ordered to be read a second time on Tuesday next.

Mr. Woodmason's Divorce Bill was read a second time, and ordered to be committed to a Committee of the whole House on Monday se'nnight.

SLAVE CARRYING BILL.

Sir W. Dolben brought up the report of the Committee on the Slave Carrying bill.

Colonel Gascoigne presented a petition from persons whom he said were respectable merchants, now in town, but who resided at Liverpool, Bristol, and other great places of trade, stating objections against many clauses that were introduced into the bill of the preceding day.---However prejudiced some persons might be against this trade, he was entitled to say, it was a trade that had been carried on for a series of years under the sanction of the legislature; and therefore persons who petitioned to be heard by counsel against a measure that affected their property in that trade ought to have the attention of the House. The petitioners prayed that they might be heard at the bar of the House against the bill. He intended, after the petition was read, to move that the report be taken into further consideration that day se'nnight.

Mr. W. Smith said, that having heard no one reason for hearing counsel against this bill, except that the parties interested in the trade wished it; knowing that the statement made in the behalf of the petitioners was a misrepresentation of facts, (he did not impute that misrepresentation to the hon. Member who presented the petition, but to those who desired him to present it) knowing that the honourable members for Liverpool had consulted their constituents, and their constituents had consulted them; so that there was no surprize in this matter; and knowing that the presenting this petition was a mere trick to create delay, he could not agree to the prayer of the petition, and therefore he should move that the report be read immediately, and the further consideration of the report was deferred to Wednesday, when counsel is to be heard for the petitioners.

SALT DUTY.

The Chancellor of the Exchequer moved the order of the day, for the House to resolve itself into a Committee of the whole House, to consider of the act of the last session of Parliament for granting a duty on Salt.

The House in a Committee;

The Chancellor of the Exchequer said, that the object he had

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in view was to transfer the management of the Salt Duty to the Excise, as well the old duty as the new; it was his object to consolidate them; but there was no other alteration in the duty; the Committee being, of course, aware what the new duty was, that being settled a few days ago by an act of Parliament. He had, however, much reason to believe there would be great advantage to the public from this mode of managing the duty on Salt.

The resolutions were then put and carried, and the report was ordered to be received the next day.

The *Chancellor of the Exchequer* moved the order of the day upon a Committee of Supply; which being read, he moved, that the report of the Committee appointed to inquire into allowances to be made to subaltern officers in time of peace, be referred to that Committee. Ordered.

Also, that the estimate of the pay and cloathing of the militia be referred to the same Committee.

Also, that the petition from the Veterinary College be referred to the same Committee. Ordered.

The House, in a Committee, voted resolutions upon these subjects.

The House being resumed, the report was ordered to be received the next day.

Mr. Alderman *Lusington* moved the last order of the day; which was, for taking the report of the Ship Owners bill into further consideration.

Counsel was then called in and heard on both sides; after which the House adjourned.

HOUSE OF COMMONS.

SATURDAY May 12.

Mr. Alderman *Lusington* brought up a bill for improving the port of London.—Read a first time, and ordered to be read a second time on Monday next.

Mr. *Rose* brought up a bill for regulating the trade of the Isle of Man. Read a first time, and ordered to be read a second time on Monday next.

Mr. *Sargent* brought up the report of the Committee of Supply. The several resolutions were read and agreed to, among which were the resolutions for making provisions for the pay and cloathing of the militia; and for making an allowance for its subaltern officers in time of peace.

Mr. *Rose* also brought up the report of the Committee on the consolidated duties on salt; when several resolutions respecting them were read and agreed to.

Mr.

Mr. R. then moved, that it be an instruction to the Gentlemen appointed to bring in a bill pursuant to the aforesaid resolutions, that they do make provision for transferring the management of the duties upon salt to the commissioners, of the revenue.

Adjourned till Monday.

HOUSE OF LORDS.

Monday, May 14.

SCOT'S APPEAL.

THE SOCIETY OF CLERKS OF THE SIGNET IN SCOTLAND
v. THE SOLICITORS OF THE COURT OF SESSIONS.

Counsel appeared at the bar, and were shortly heard on this cause; when the appeal was dismissed, in consequence, we understand, of an application from the appealing party to that effect.

Their Lordships postponed their judgment on the cause, *Smith v. Cockburne and Jones*, till the next day.

The *Marquis of Salisbury* reported his majesty's answer to the late address of the House—signified that directions should be given accordingly.

The various bills upon the table were forwarded in their respective stages. In the course of these proceedings, the second reading of Sir Hyde Parker's Divorce bill, which stood for the next day, was ordered to be postponed till that day se'nnight.

A few private bills were brought up from the House of Commons, which being read a first time, their Lordships adjourned.

HOUSE OF COMMONS.

Monday, May 14.

Malmesbury paving, Jones's estate, Yeomanry Corps billeting, salt regulation, and northern bridge bills, were read a first time.

De Visme's and Geisler's Naturalization bills, Litchfield greponds, Isle of man, and Caddington inclosure bills, were read a second time.

National debt, and Honeywood's estate bills were read a third time, and passed.

Edinburgh twopenny bill recommitted.

A message was delivered from the Lords stating, that their Lordships had agreed to several private bills.

Upon

Upon reading the order of the day for taking into further consideration the report of the Committee upon the Lancaster quarter sessions bill,

Mr. Dent moved that counsel be heard against the bill.

Mr. Rose stated, that notice had been given by a right honourable Gentleman of a motion for this day, of great public importance (respecting imports and exports); he hoped there would be no objection to postponing the hearing of counsel until after the public business was over; and concluded with a motion to that effect.

After a short conversation between Lord Hawkesbury, the Master of the Rolls, Colonel Stanly, and Mr. Dent, the gallery was cleared for a division.

The *Chancellor of the Exchequer's* motion relative to imports and exports, was put off till Wednesday; in consequence of which, counsel were called in, without a division.

After hearing Messrs. Chambre and Baron, against the bill, and Messrs. Law and Parke, in favour of it; the House adjourned.

HOUSE OF LORDS.

TUESDAY, May 15.

Heard Counsel on the Belhaven peerage—further to be heard next Tuesday.

In the case of Smith against Cockburne and others, the accounts were referred to a master in chancery; after whose report their Lordships will pronounce their decision.

The Duke of Leinster took the oath and his seat at Viscount Leinster.

Adjourned.

HOUSE OF COMMONS.

TUESDAY, May 15.

TWISLETON'S DIVORCE BILL.

The honourable and Rev. Mr. Twisleton's Divorce bill went into a Committee.

Mr. Addington (the Speaker) desired, that before counsel were called in, the Committee should advert to the standing order of the House upon this subject, and therefore he desired it might be read; which being done,

He observed that the purpose for which he desired the order to be read was this: It appeared that the honourable and Rev.

rev. Gentleman who sought this bill, and his wife, lived together from the time of their marriage until the month of June; 1794, at which time disputes arose between them, and they agreed to live separately, and a deed was executed for that purpose. In the year 1796, it appeared the wife had adulterous intercourse with a gentleman named in the petition for the bill.—In the ordinary course of proceedings of this nature, before the bill passed, evidence was given that an action for damages had been brought in Westminster-hall, and of a judgment obtained there; the Committee would expect the same course here, or that sufficient reason should be assigned, or cause shewn why such an action was not brought. Here it appeared that the petitioner for the bill could not sustain his action for damages in a Court of Law, because, previously to the adultery of the wife, the parties lived separate from each other, under a deed of separation; it was thus that the husband was debarred from his action by the law of the land, at least so it was understood in Westminster Hall. It was there determined that if a deed of separation takes place, no action for adultery will lie; and upon this doctrine a plaintiff had been nonsuited in a recent case in a Court of Law. It therefore became necessary, as this action was not brought, that the deed of separation between the present petitioner for this bill and his wife should be proved before the Committee, in order to shew why the action was not brought.

Mr. Adam and Mr. Bailey then appeared at the bar for the bill; the former of these learned Gentlemen then opened the case; and assigned the reasons which the hon. Member had alluded to for not bringing the action for damages, and having proved his client's case, the bill passed the Committee, and was reported.

NEWS-PAPER BILL.

The *Attorney General* then moved the order of the day on the Bill "for preventing the mischief arising from the printing and publishing newspapers; and papers of like nature, by persons not known, and for regulating the printing and publication of such papers in other respects." He said that there were many material alterations to be proposed in the bill hereafter, but he hoped there would be no objection now to the second reading; he thought it, however, convenient to postpone the commitment of it to Friday se'nnight. He then moved, that this bill be now read a second time.

Mr. Tierney approved of the postponement of the further proceeding

proceeding of the bill ; but he wished it to be understood, that in not opposing the second reading, and in letting it pass that stage on the suggestions of the learned Gentleman, he was not giving up his right hereafter to oppose the bill in whatever way he thought best.

Mr. *Hobhouse* said, that in consequence of the communication of the learned Gentleman on the other side of the House, he should assent to the motion for the second reading of the bill ; many objections which he had to the measure might be removed by clauses to be introduced into the bill. He was for having a controul over the licentiousness of the press, but not for the annihilation of its liberty ; and many of the clauses of this bill, as it stood at present, went a much greater length than he could assent to.

The bill was then read a second time, and ordered to be committed to a Committee of the whole House on Friday se'nnight.

SALT DUTY

The bill for transferring the management of the Salt Duty to the Excise was read a second time on the motion of Mr. *Rose* ; and after a few words from Lord Sheffield, the commitment of it was deferred to Monday next ; the bill was ordered to be printed.

Mr. *Rose* having obtained leave, brought in a bill for repealing the duty now payable on the licenses of stipendiary Curates. Read a first time. Deferred the other orders of the day. Adjourned.

HOUSE OF LORDS.

WEDNESDAY, *May 16.*

Their Lordships heard counsel on the Scotch Appeal, in which *Kyd* was Appellant, and *Davison* Respondent. The Decree of the Court of Sessions was affirmed.

The Lords were ordered to be summoned on Friday next upon the Militia Officer's Bill. Adjourned to Friday.

HOUSE OF COMMONS.

WEDNESDAY, *May 16.*

Mr. *Twisseldon's* Divorce Bill was read a third time and passed.

HERRING FISHERY.

Mr. *Ryder* observed, that with respect to the British Fishery Bill, he understood that there was some difference of opinion among

among those who were most immediately interested in the measure, and as the delay of it would not be attended with any material inconvenience, he should move that this bill be read a second time that day three months. It would be easy to renew the measure in the next session.

This, after a few words from Mr. Bastard, was agreed to.

LANCASTER QUARTER-SESSIONS BILL.

Colonel *Stanley* moved, that the bill be read a third time, upon which a debate arose.

Lord *G. Cavendish* opposed the third reading of this bill.

Lord *Belgrave* supported it.

Mr. *Jekyll* contended, that the effect of this bill would be, to revolutionize the county of Lancaster. He called the attention of the House to a circumstance which appeared to him highly indecorous and unparliamentary; the circumstance he alluded to was, that of papers having been sent round, signed by two Peers and some Members of Parliament, requesting the support of Gentlemen, and speaking in very strong terms of the opponents of the measure.

Mr. *Peele* supported the bill, which, he said, was in conformity with the wishes of five-sixths of the People of Lancashire.

Colonel *Stanley* also supported the bill.

Mr. *Dent* contended, that the bill would violate the chartered rights of the people of Lancaster, and therefore gave it his decided opposition.

The Master of the Rolls, Sir Richard Hill, the Attorney-General, and Lord Hawkesbury, spoke in favour of the bill.

The bill was read a third time.

LANARKSHIRE.

Mr. Secretary *Dundas* presented a petition on behalf of the Noblemen, Gentlemen, Justices of the Peace, &c. of the county of Lanark; similar in substance to that lately presented from Dumbartonshire. It recommended to the serious consideration of the House, the nature of the contest in which we were engaged with France, and the avowed resolution of the enemy to reduce the resources of the country by the ruin of our commerce. As the most effectual means of frustrating this design, the petitioners advised the House to endeavour to raise in future the necessary supplies within the year without recurring to a Loan. The system of the Assessed Taxes, already resorted to for that purpose, they could not but confess was in some instances exceedingly partial; they would therefore beg leave to

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recommend the adoption of some other method by which the burthens, which the exigencies of the times had made necessary, might be made to bear in a more exact proportion on the real wealth of each individual.

The petition was ordered to be laid on the table.

PROVISIONAL CAVALRY.

Mr. Secretary *Dundas* said, that on the subject which he had now to bring before the House, he would detain their attention but for a few minutes. Whatever might require a more minute and detailed explanation, he thought best to reserve for a future stage of the business, where it might more naturally and more consistently be discussed. He had now only to adduce the reasons why he did not think it necessary to make full use of the force which Parliament had left at the disposal of the Executive Power. These reasons were founded on this general proposition, that the zeal and loyalty of the country, and the extent of the means which that zeal and loyalty had engendered, had furnished more than was sufficient for its protection; and that it was only necessary to call out that proportion of this force which the aspect of circumstances might indicate and require. The Provisional Cavalry would now amount to nearly 15,000 men wholly embodied, and this would produce an expence to the amount of between 12 and 1,500,000*l.* without attending to the many other inconveniences that must arise from calling into actual service the whole of that force; at the same time it was the duty of the country to draw from its own bosom the means of its own security, after it had been left unassisted by the co-operation of its allies. When they were gone, we provided for the emergency by embodying the Supplemental Militia; and as the dangers of our situation have since increased, we require an increase of force to repel them; and this we expect to find in the Provisional Cavalry. Our regular Cavalry amounts to 13,000 men; but when he attended to the variety, and he would add, the rapidity of the proposals which every day crowded in upon him from persons who were ready to come forward to volunteer their service, he might say, that the number was great indeed, though he was ~~not now~~ in a situation to ascertain it. In October last it amounted to about 10,000 men, and such was the unabated zeal, and persevering energy of the country, that this force had since received an increase of four or five thousand men. Indeed that zeal, virtue, and energy, became every day so manifest in every quarter of the country, that were he to indulge his own feelings, he would almost dwell for ever on it;

as he, moreover, knew that it was a theme that must also meet the feelings of every well principled and virtuous man. To this he would add, that in the arduous struggle in which we were engaged, there was no one ingredient in our means of defence on which we might more firmly and securely rely than on the valuable body of men that composed the Provisional Cavalry. But while the spirit of the country was thus active in furnishing in abundance the means of its protection, it became the wisdom of Parliament to call for no more than the exigencies of our situation might require. It was therefore his wish that only a certain proportion of this force, suppose four or five thousand men, should be now called into service, selecting those who were most forward in military skill and discipline. The rest might be continued in training, in the neighbourhood of the Regular Cavalry, where they would have abundant opportunities of improvement. If any alteration in this plan was found necessary, then all in rotation might be called out; and thus the burthen of expence and inconvenience would fall equally upon all. It was merely his intention now to move for leave to bring in the Bill, which we would afterwards move should be printed; and after it had been maturely considered, he would be very eager and happy to listen to every suggestion that might tend to the improvement of the plan. He then concluded by moving, that leave be given to bring in a bill for the regulation of the Provisional Force of Cavalry to be raised by virtue of a late Act.

Mr. *Jolliffe* wished that no greater number of men should be called out than was likely to be necessary, as the diminution of our expences should be particularly attended to.

Mr. *Bastard* hoped that the expence which this measure would bring on the country might be made to fall on the kingdom at large.

General *Farleson* expressed a desire to know if it was not the intention of the right hon. Secretary to call out this force principally from the maritime counties.

Mr. *Dundas* confessed that his opinion on this subject had very much varied and fluctuated; it was indeed his intention at first to draw out the provisional cavalry of the maritime counties, but when he had more maturely reflected on it he perceived there would be great inequality in it; that the maritime counties were already exposed to great burthens, and that in a fair view of it this manner would be highly objectionable.

Mr. *Buxton* rose to thank the honourable Gentleman for not proposing to call out the whole provisional cavalry, as, if they

were all called out; the agriculture of the country must suffer, particularly in the hay and corn harvest, those men being mostly farmers and husbandmen.

Leave was given to bring in the bill.

PROTECTION OF TRADE.

The House now resolved itself into a Committee of the whole House, in order to consider of more effectual means for protecting the trade of the country.

Mr. *Rose* said, that it was his design, in the absence of his right honourable Friend (Mr. Pitt) to call the attention of the Committee to one resolution only, which went to prevent the sailing of any ship in future without convoy. The measure was so fully known, had been in such general circulation, was so completely approved of by the mercantile interest, and so very little objection had been started against it, that he trusted it would not experience any opposition. It was notorious, that very few captures had been made by the enemy of ships sailing under the protection of convoys, but the enterprising spirit of the merchants had occasioned many losses, by neglecting to take advantage of that protection, and running the risk of sending vessels to sea without convoys. Many prizes had been taken during the war, in consequence of that line of conduct, which, by speculating too much, had exposed the trade of the country to considerable losses, and exposed our merchant vessels to the depredations and adventurous attempts of the enemy's privateers. Many instances of that kind had particularly occurred in the West Indies. If the measure, therefore, which he proposed was agreed to, the most beneficial consequences would result to the commerce of the country. He then moved, "that no British ship registered shall be permitted to sail without convoy, unless by special licence from the Lords Commissioners of the Admiralty."

Mr. *Tierney* observed, that so far from the subject being generally known, the right honourable Gentleman (Mr. Pitt) had not entered into the merits of it, but had only stated the proposition in a general manner, and mentioned the probable produce of the plan. If the merchants were contented, that was not a sufficient ground to induce the House to adopt a measure, which imposed a very tax on exports and imports. It was called a bill for the protection of trade, yet it went in fact to lay a heavy tax on trade and commerce. Some general explanation was at least necessary, when the House was taking into its consideration the propriety of raising no less a sum than

one

one million and a half for the public service. He lamented the absence of the right honourable Gentleman, and trusted the business would be postponed until he was sufficiently recovered from his indisposition to be enabled to attend. Considerable sums of money had been voted for the navy, which was allowed to be sufficient for the protection of the trade of the country.

Mr. *Rose* observed, that as the present was not a proper time for a consideration of the duties, he should not enter into any discussion on that point. He was fully sensible of the deficiency under which he laboured from the absence of his right honourable friend. There was no question about voting more money for the service of the navy, for the resolution only went to prevent ships from sailing without convoy.

Mr. *Hobhouse* thought the measure highly exceptionable, as it was contrary to the leading maxim of trade laid down by the best writers, who stated, that the freedom of trade was essential to its prosperity. It was the duty of Government to protect our trade, and it appeared a confession of weakness to have recourse to the plan.

Mr. *Dundas* contended, that if the measure met with the decided approbation of the merchants, that point evidently was a strong presumption in favour of it. With respect to the protection of our trade, he was confident that it was never so completely and so satisfactorily exercised as at present; but in proportion as convoys were given, we should in the same proportion compel traders to take the benefit of that protection, which was admitted to be so necessary.

Mr. *Bryan Edwards* approved of the proposed regulation for the sailing of convoys, and thought its utility, its propriety, and its necessity so apparent, that he had expected no person would oppose it. But, like the honourable Gentleman (*Tierney*), he wished to hear it explained, how a proposition for the better protection of trade, was necessarily connected with that other proposition, a duty on trade.

Sir *Francis Baring*, as a merchant of considerable stake, begged that commerce might be let alone. He admitted that convoys had been almost regularly granted by the Admiralty, but there frequently occurred occasions when a merchant would not wish to wait convoy; and if trade was so well protected, what other reason could be given for Government coming forward now to impose a convoy on the merchants on all occasions; they might however impose a duty. Reasoning from the example of the effect of the recent proclamation issued

sued by the French Directory against neutral vessels carrying British goods, he contended that a duty on exports and imports would increase the trade of neutral vessels, and decrease that of Great Britain. For it was not unusual to hear of goods being sent from Amsterdam to Moscow, in Russia, over-land, to save expence; and the Turkey Company, from the same motives, frequently sent British manufactures across the deserts to Persia. If, therefore, trade was already so much burthened, would not any additional impost tend to diminish it? It might be desirable to protect trade as much as possible; but he believed, the capture by the French, of British vessels, having British manufactures on board, tended to increase the demand in our markets.

Mr. Rose interrupted the honourable member, and observed, that this was not the proper stage for observations on the duty.

Sir F. Baring then adding, that as to the measure of convoy it was compelling merchants to take what they did not want.

Mr. Dundas thought the last discovery of the honourable Baronet new, and certainly extraordinary. He had never before known the capture of our ships by the enemy's privateers recommended as the best receipt for promoting the manufactures of the country. Did the honourable Gentlemen recollect that British seamen and ships were also taken into French ports with British goods?

Sir F. Baring replied that the ships were able to protect themselves, as they went armed, as allowed by law.

Mr. Dundas then asked, by what magic it was, if the men and ships were safe, the French contrived to extract their cargoes?

Mr. Peel said, that this was a measure which only urgent necessity could justify, as the more the commerce was left free the more it prospered, and this measure, by destroying competition, in some degree damped the energy of trade; and though the avarice of individuals, would induce them to run for a market, yet unquestionably the captures in consequence were a national evil. He thought the measure was justifiable on the ground of necessity, and it behoved government not to suffer individuals to act detrimental to the general interests, though they might have a private advantage.

Mr. Tierney said, as no ground was laid, he should oppose the business *in limine*.

Mr.

Mr. *Rose* explained.

Lord *Hawtisbury* observed, it was not now regular to enter into the question of duties. The Committee of ways and means would be the proper stage. It was admitted, that the protection given to trade was so great, that government had a right to call upon individuals not to expose themselves to be captured by the enemy. Upon this simple ground the question stood.

Mr. *B. Edwards* thought that the words "from the ports of this kingdom," ought to be inserted, as it would be impossible the ships in the colonies should wait for a licence from the admiralty.

Mr. *Rose* replied, that it was intended to delegate the jurisdiction to the courts abroad; and therefore he hoped the motion would be suffered to stand as it was.

The resolutions were then read and agreed to.

The House being resumed,

Mr. *Rose* moved the order of the day, for the House to go into a Committee of ways and means.

Mr. *Tierney* thought, as the Committee had been already deferred from day to day, on account of the absence of the Chancellor of the Exchequer, it ought again to be postponed; but if it was intended to go into the Committee, he wished to know if the honourable Gentleman (Mr. *Rose*) would go into an explanation of the measure?

A motion being made that the Speaker do now leave the chair,

Mr. *Rose* said, that if it was the pleasure of the House to go into a Committee of Ways and Means, he should state the grounds on which he should bring forward certain resolutions. He extremely lamented the absence of his right honourable Friend, and was sorry the task devolved on him to bring this matter forward. But no disinclination on his own part to take the burthen upon himself could induce him to postpone this business further. With respect to general objections against the measure, he must say, that many opportunities would be afforded to make them in the course of the discussion of this subject, which, however, had been before a very considerable number of merchants, and other respectable persons.

The *Speaker* said, that strictly speaking, it would not be regular to discuss any resolutions which were intended to be proposed in a Committee of Ways and Means in any other stage but a Committee of the whole House. Measures of that nature could not be debated upon the question for his leaving the chair. If the intended measure was that of a tax upon imports and exports,

ports, and it was so stated, it would then be competent to discuss the propriety of his leaving the chair; but upon the simple motion for leaving the chair, no detail could regularly be entered into upon the subject of taxation. Here the House were pledged to nothing by agreeing to this motion. It was competent to any honourable Member in the Committee of Ways and Means to enter into any detail to propose what measures he pleased, or to oppose any measure offered by another; but upon the simple question of leaving the chair, any detail was certainly irregular.

Mr. *Tierney* said, that if this was merely the usual motion for a Committee of Ways and Means, he should have said nothing, because he knew it was competent to him in a Committee to propose or oppose any measure as he thought advisable. But this was an extraordinary case. Here notice for a considerable time had been given of a measure of an extraordinary nature, he should therefore submit, under all the circumstances, whether it would not be advisable to postpone the consideration of it for a while, or else that the honourable Gentleman who made this motion, should state the outline of what he intended to propose to the Committee before the House agreed that the Speaker should leave the chair.

The *Speaker* said, that notice was a mere matter of courtesy and not of form, and could not govern the practice of the House. In the present instance, he thought the opening any resolutions before the present motion was put would be irregular.

After a few words from Sir Francis Baring, the question, that the Speaker do now leave the chair was put, and carried, and the House resolved itself into a Committee of the whole House, to consider further of Ways and Means for raising a supply.

Mr. *Rose* said, that the Committee were now to consider of Ways and Means for raising a supply. He should, before he entered on the detail of the resolutions he had to propose, observe that the honourable Baronet (Sir Francis Baring) misconceived the subject now to be brought forward. The purpose here was that of adding to the supplies already voted, and of enabling the public to meet the expence to be incurred in the prosecution of the contest in which we are engaged. His right honourable Friend, in opening the Ways and Means of the year, stated the amount of the assessed and other Taxes, and afterwards of the voluntary contributions, and then added a given sum which he proposed raising on imports and exports. He did not now state that the duties to be imposed were equivalent only to the savings of trade in consequence of the protection which

which would be afforded it, by the regulations respecting convoys. Trade had been protected amply, and therefore he did not mean to say that the new regulation respecting convoys would be more than equivalent to the duty now intended to be proposed; he only meant to say that he proposed this measure under an impression that trade will be able to bear it without suffering in any considerable degree. He should proceed to the detail without further preface.

He should begin with exports. It was intended at one time to propose a duty of two and a half per cent on exports generally, but statements had been made by manufacturers, that there was a competition with them as to some of our articles. They stated, and they stated truly, that it was their interest and the interest of this country, to send out their manufactures at the cheapest possible rate; and therefore in all articles in which there was a competition with them, care should be taken that they should not be taxed in a manner that would render it impossible for them to undersell others in foreign markets. Under this consideration he should propose a tax on British manufacture exported to any part of Europe of only one half per cent.; that was so moderate as to be little more than the expence of registering goods going out. As to goods going out to the West Indies or to America, that was a trade in which we had no competition, and therefore upon them, he proposed a tax of two per cent. On those to Ireland none at all; and to the East Indies not any. The amount of the duty at two per cent, he estimated at 233,000*l*.

On imports it was intended to charge three per cent instead of 1½. The imports from the East Indies would fall on articles which came in competition with some of our own, sugar, indigo, coffee, &c.; some which also came from the West Indies, tobacco and rice would also come under this duty. He then enumerated all the articles which would be subjected to the new impost, the total amount of which he stated would be 1,170,000*l*. In addition to this, it was intended to propose a duty on tonnage, the particulars of which he specified; and the amount of which he stated to be 208,000*l*. making in all 1,378,000*l*.

It was with great satisfaction he stated, that as far as this proposition had been considered by merchants and manufacturers, it had received no opposition in any part of it, except that which related to the going out of our manufactures to different parts of Europe; and that was made so small that

he apprehended the Committee would be of opinion it might be imposed without being severely felt. He hoped the Committee would agree to the resolutions which he had to propose. They were extremely numerous, because specific rights were to apply to particular articles. The rates were sent to different merchants in the kingdom, and they all took great pains to improve the rates; they had with a liberality which characterises a British merchant, made some of the rates larger than they had been proposed by his right honourable friend, because they appeared to them to be too low. In the instances in which they appeared too high, they had lowered them. As to goods outward, no rate could be applied to them, because it was impossible to know their value exactly.

These were the grounds of the resolutions which he had to propose, for the discussion of which he must again repeat, there would be abundant opportunity in Committees on the bills, and other stages. He then proposed moving the first resolution.

Mr. B. Edwards said, he hoped the honourable Gentleman would not have any objection to explain certain matters. He was pleased to say that parties had approved of this proposition. He knew that the proposition had not been laid before a great number of persons concerned in the West-India trade, which was most important. The honourable Gentleman had not stated how the value of articles was to be taken. Was it according to the marketable value, or was it to be fixed according to the inspector-general's book? In that book things were not set down according to their real value; and from returns from that book the house would never know the real value of any article whatever. In the article of Coffee, for instance, the entry in the inspector's book was double the real value, consequently in that article $2\frac{1}{2}$ per cent. taking the inspector's book as the standard of value, would be in reality 5 per cent. on that article. He foresaw that, unless care was taken in this and other particulars, the plan might possibly be such that trade must sink under it. He added several other observations, and concluded with observing that he was not an enemy to the measure in its principle, but wished for as much explanation in the course of it as could be given. He was sorry, however, to observe a measure so momentous discussed in so thin a House.

Mr. Rose explained several points, and observed, as to coffee it certainly was rated infinitely higher than its value in the inspector general's books, but he believed that to be a singular

lar instance. It was much lower in most others. It was made in King William's time, since which articles had greatly increased in value, but, however, there was no idea of taking this book as a standard. The real value was to be taken as nearly as possible, and a very laborious and intelligent Gentleman had taken much pains on that subject, the whole of which would be explained hereafter.

Sir *Francis Baring* entered much at large into the subject, and acknowledged that he had a more favourable idea of this measure than when he first entered the House. He said, he had attended the Committee of Merchants, who met to consider this business, and he could say, that they never concurred in the general principle of the bill intended to be brought in. But if it was to be adopted, they should consider the best means of carrying it into effect. He approved of the moderation of the half per cent. and he thought that some modifications of the present plan might render it unobjectionable. As a merchant he said he was ready to come forward, and to say, that trade should be taxed as far as trade can bear it. He considered, as the Americans were in some cases the best customers, every thing therefore that tended to encourage that trade ought to be attended to, but this, as well as other things, might become the subject of future consideration. He observed also, that some articles already highly taxed, could better bear 10 per cent. than others could bear any during the present war. He observed also, that care should be taken not to affect neutral ships with these charges.

Mr. *Rose* said, it was not to extend to neutral ships, but to be confined to British ships.

Mr. *Peele* entered into several calculations to shew, that in certain manufactured goods exported from this country, the profit to the nation was not less than 75 per cent. and therefore nothing was more clear than that such a trade should be encouraged as much as possible. He did not think this measure would bear very heavily on trade and commerce, and therefore it had his approbation. He hoped there was a public spirit and zeal in all descriptions of men, that they would all come forward and subscribe their quota without murmuring. He was sure it was the wisest course we could take, it would make an impression on the enemy, and in that view might be considered as true economy. Whatever money was voted for the exigency of the public service, he had such confidence in his Majesty's Ministers as to make no question it would be well applied.

Mr. *Tierney* did not agree with the hon. Gentleman who

spoke last in the last sentence of his speech. He declined, however, entering into any detail upon this subject now, begging it to be understood that he reserved for himself the right of considering the subject in the light it might hereafter appear to him, for which purpose he expected time would be allowed.

Mr. *Rose* said, nothing could be more candid, and observed, that frequent opportunities would occur for further discussion.

The resolutions were then *passé pro forma*; understanding that they should be all printed in the votes, and the House being resumed, the Report was ordered to be received the next day.

Mr. *Long* brought up the bill for imposing a duty upon Armorial Bearings. Read a first time, and ordered to be read a second time the next day.

Mr. *W.berforce* moved the Order of the Day upon the bill for allowing costs in cases of misdemeanour, and proposed the bill should go into a Committee of the whole House, which was opposed by Mr. Mainwaring. The House was counted, and there not being forty Members present, an adjournment took place of course.

HOUSE OF COMMONS.

THURSDAY, May 17.

The further consideration of the Slave Carrying Bill was deferred to Monday.

Mr. *Rose* moved the Order of the Day on the Land Tax Bill; which being read,

He said he should now move that it be deferred until the next day, and he could almost undertake that no delay should take place upon this subject beyond the next day.

Report ordered to be taken into further consideration the next day.

The bill for imposing duties on Armorial Bearings was read a second time, and ordered to be committed to a Committee of the whole House the next day on the motion of Mr. Long.

Mr. *Hobart* brought up the Report of the Committee of Ways and Means—read and ordered to be taken into further consideration the next day, and to be printed, on the motion of Mr. *Rose*.

The bill for regulating the mode of billeting the Yeomanry Cavalry went through a Committee of the whole House, and the Report was ordered to be received the next day, on the motion of Mr. Secretary Dundas.

Ordered that the Report of the Committee for the protection of trade be taken into further consideration the next day.

Agreed

Agreed to go into a further Committee of Supply on Friday.
Ordered that the Report of the Committee on the Southern Whale Fishery Bill be taken into further consideration.

General ~~Talbot~~ presented a petition from persons concerned in the African Slave Trade against certain clauses now proposed to be introduced in the Slave Carrying Bill, praying to be heard by Counsel against the parts of the bill that are new and will affect their interests. Ordered to be laid on the Table until the other petitions be taken into consideration, and that the petitioners be heard by Counsel.

The bill for repealing the duty on Licenses of Stipendiary Curates was read a second time, and ordered to be committed to a Committee of the whole House on Monday.

Mr. *Rose* moved, that the House do the next day resolve itself into a Committee of the whole House to consider of the duties payable on spices imported from the East Indies. Ordered.

Mr. Alderman *Lushington* moved the Order of the Day for the House to resolve itself into a Committee of the whole House on the bill for the relief of the ship owners, &c.

The House having resolved itself into that Committee,

Mr. Alderman *Lushington* moved an amendment on the first Clause for limiting the time to one year for bringing an action after the accident had been known. This was styled the Retrospective Clause, and purported to have in view the case of Smith and Shepperd. It was opposed by Mr. *Peele*, Mr. *Brogden*, the Master of the Rolls, and Mr. *Buxton*; and supported by Mr. *Ryder*, Mr. *Simeon*, Mr. Alderman *Lushington*, and Mr. *Ellison*; after which the House divided on the amendment

<i>Ayes</i>	-	-	-	-	-	51
<i>Noes</i>	-	-	-	-	-	30

Majority - - - 21

The House then proceeded through the other clauses; after which they adjourned.

HOUSE OF LORDS.

FRIDAY, May 18.

Lord *Grenville* said he thought it right, before the House proceeded to the business on which they were summoned, to call their attention to the bill received from the House of Commons, relative to elections. No question could exist as to their right to pronounce their judgment, either in rejecting, sanctioning, or amending such bills. It was unquestionable likewise, that

that the intention of the authors of the bill was such as deserved their Lordships approbation; at the same time, it became the House to exercise their unbiassed reason, and to judge of the measure by its intrinsic merit. Instead of pressing for a decision at present, however, he wished to give time for every one to consider the bill. His opinion was, that the principle of the bill was not law, and could not be considered as law. On the question for the second reading, he therefore moved its being postponed to Wednesday, and their Lordships to be summoned. Ordered.

MILITIA OFFICERS AUGMENTATION BILL.

The House accordingly resolved itself into a Committee on this bill, Lord Walsingham in the Chair.

After the preamble, and some part of the bill was disposed of,

The *Earl of Carnarvon* observed that it was with the greatest reluctance that he rose to make any objections to a bill professing the better defence of the country at this moment; that his disposition and the improbability of his opinion, having any weight in averting the evil apprehended, would have inclined him to remain silent, if silence might not in the present case be dangerous, by leaving unobserved, errors which would inevitably produce discontent and embarrassment in the execution of the act, at a moment, when a cheerful concurrence and union was most necessary. The zeal of the country, to repel the threatened hostilities of a desperate and implacable enemy, has never been more conspicuous than at this moment; and the Government of the country has at no period more effectually and actively seconded that zeal. The moments, however, of patriotic zeal are always those of inconsiderate ardour, and old principles deliberately adopted and long approved, are frequently in danger of being deserted if they appear to sanguine dispositions, in the least to clog the popular exertions of the moment; the military establishment has been, and is still exposed to that danger; its open and avowed enemies from opinion, its cool friends from alarm, both concur in wishing to perfect its similitude to an army, even at the expense of gradually removing those constitutional securities, which the legislature placed for the express purpose of preventing its being an army. Those whose military opinions direct the measures of defence, do not feel themselves called upon to respect or promote the constitutional security interwoven in the texture of a militia; they look to it as a mere standing army; they are not at the trouble of studying its constitution, but consider all that distinguishes militia from an army, as idle embarrassments

embarrassments of ignorance and prejudice, which ought to be removed. The jealous constitution of the country, however, knows no permanent standing army, modern practice has produced annual armies, but the legislature has not hitherto thought fit to sanction it as a permanent standing force. A militia, however, they have established upon different principles from the army, to be a permanent military force, which may be raised on sudden emergencies; to prevent that dependance on the crown which military emoluments and professional views create, and make an army dangerous to the constitution; they have drawn the men by ballot from the inhabitants of counties and embodied them under the command of the neighbouring gentlemen of the respective counties, with landed qualifications according to rank; the legislature cautiously secured them from being put under the command of any army officers, but generals, in order that the effect of the qualifications might not be defeated, and yet unprofessional men might not be without military experience to lead them. The legislature has also secured them trials by persons in the same predicament, nor would expose them to the different prejudices of a dependant and professional army. These are, I think, beyond contradiction, the principles on which the militia establishment was formed, it was not intended to be an army; but the friends of the constitution looked with satisfaction to a force that, in all events, must have the interest of the country at heart, because their interests were inseparable, whether it was endangered from within or without. Landed qualifications, and distinct court-martials, by qualified officers of the militia, are therefore essential requisites to the militia; every attempt to change, or abolish these essential requisites, inflicts a dangerous wound on its vital principle; it defrauds the officer of that situation which his zeal and patriotism, not emolument, induced him to accept; and the men, of the advantages and satisfaction of serving under their neighbours and patrons, which led them to the field as principals or substitutes. I should much rather concur in annihilating the militia, and returning them to the mass from whence they came, and raise troops in the usual way, then indirectly to swindle an army from the country under expectations held out, and patriotic and constitutional principles displayed, and then gradually worm out and extract from the militia laws under various pretences and by obscure clauses of reforming acts, all those respectable principles, and constitutional as well as personal securities which called forth the zeal of the country gentleman to the public service, a zeal and service which could not be purchased, and when destroyed,

strayed, will not be supplied in all its uses by a standing army. The clause under consideration is destructive of the whole Militia principle and impracticable without infinite mischief; it supposes a difficulty in obtaining officers of all ranks for the Supplementary Militia, which the return made from the Secretary of State's office (now on your table) disapproves, and to supply this imagined scarcity, the clause impowers the Crown to appoint to the Supplementary Militia (if not filled up in fourteen days after the passing of the act, which once passed, enables the Crown to fill every vacancy immediately) any person of whatever rank, religion, or complexion, Mahometan or Gentoo, who may have served an hour in the India Company's service; I do not state this circumstance as an event to be apprehended, but as the real full extent and meaning of the clause, for in the original Supplementary Act, the officer's man is exempted from the oath that he is a Protestant (an exemption intended to admit the service of Roman Catholics) this bar being removed and no other qualification requisite but service for any time in the land forces of the India Company, any person of whatever description or religion, through the medium of that service, may hold a commission in the Supplementary Militia of England by this clause; it is said that this clause does not extend to the original Militia, but only to the Supplementary; that the Supplementary Militia is a new force, which may be differently modelled, without prejudice to the old; neither the words of the act, nor the practice adopted at this moment, will authorize this conclusion sufficiently, to prevent infinite mischief: I wish this separation was made distinct and clear, and not hanging upon doubtful inferences; at the moment it is stated to be a new distinct force, orders are gone down to incorporate the two corps; what confusion must arise when unqualified India officers mix with a regiment of qualified Militia as making one of its parts? in the old stock nothing but qualified officers command; the grafted addition can have no command but over the Supplementary part; if a court martial takes place, they cannot, in my opinion sit, that of the greatest part of those with whom I have conversed, set as Militia officers; I know that a few think otherwise, but that difference of opinion will only encrease the evil. My objection is against the whole clause, but it would be more palatable to me the less it extended; if it did not include field officers, the regiment would be less changed, and its constitution less repugnant to the Militia principles; if a clause distinctly explaining that these unqualified officers shall not mix in Militia courts martial is inserted, the bill will be less offensive,

offensive, though without such clause, my opinion is, that they are decidedly excluded from court martials, before which officers of the established militia are to be tried, because they have no power, authority, or connection, by the act with the old militia, however otherwise blended in service. I confess that it appears strongly that the intention of those who framed the bill is to subvert the militia, and convert it into an army, for they have not attempted to prove the necessity of this objectionable mode of officering the Supplementary; on the contrary, the returns prove that the field situations are easily filled, and the other not likely to be long vacant; but if a difficulty of finding officers qualified according to law existed, they have not taken the obvious means of removing the difficulty by reducing the qualification 1000*l.* per annum; for instance, (which is the landed qualification of a colonel, 500*l.* of which must be in the county for which he serves), and accepting a less qualification even as low or lower than half, if necessary; thus the militia soldier would still continue to be commanded by his neighbour; instead of this obvious remedy, they say gentlemen of a thousand pound per annum are not to be had, and therefore we must import officers from the East-Indies without any qualifications at all; where is the professed attachment to the principles of the militia, and the unwilling deviation in this bill from necessity. The gentleman of 999*l.* landed revenue is excluded by this bill, and an unqualified ensign from the East-India Company's service, may in three days be made a colonel of the Supplementary Militia; do the authors of this bill flatter themselves that this change will be cordially entertained by the militia at large; and that such an heterogeneous mass of discordant principles can produce a firm united body fit for the defence of the country? Strongly impressed with these objections, I am against the whole of this clause, and shall move that the whole be omitted.

The *Marquis Townshend* said, he agreed in part of what fell from the noble Earl; at the same time, with respect to the particular clause so much dwelt upon, he entertained no such apprehensions. It merely enacted, that where the Lords Lieutenants of the counties were unable, within a given time, to provide a sufficient number of officers, in such cases only, the resource in question may be resorted to. By these means he thought it unlikely that any great number of the Company's officers would find their way into the Militia. His Lordship adverted to the circumstances of the troops of the line being fully employed in their regular duties in garrisons, encampments, and in defending the colonies; which circumstances

rendered the mode struck out by the bill for officering the Supplementary Militia as one of the most unobjectionable that could be devised.

The *Earl of Carnarvon* replied, that the measure of reducing the accustomed qualifications in property for the officers, had much better be resorted to; the bill went to exclude unobjectionable persons whose incomes were ever so little below the legal standard. By the existing law, it was required that a Colonel in the Militia should have at least 1000*l.* per annum, half of which should be in the county wherein the corps was raised. A man possessed of 999*l.* per annum would be rejected, and an ensign of the Company's troops received. He pressed the idea of reducing the qualifications: there seemed no anxiety in Ministers to get Officers of property. It seemed as if they wished to get an army by ballot, the attempt would create jealousies, it appeared like an attempt to worm out the constitutional officers, and to assimilate the Militia to the regular standing forces.

The *Marquis Townshend* again observed, that there existed no ground of serious apprehension on that score. He had known instances where a whole corps of officers was completed within a fortnight: possibly, some jealousies might exist, as hinted by the noble Earl, but they were not within the sphere of his knowledge.

The *Earl of Hardwicke* observed, that exertions were made to obtain officers properly qualified.

The *Earl of Carnarvon* said, that if the noble Earl conceived him to say, that efforts to that effect had not been made, he had mistaken him, at least he did not mean to say so. What he wished to press was, the expedient of reducing the qualification, which would effectually answer the purpose.

The *Earl of Hardwicke* then observed, that the present bill would not militate against the constitution of the Old Militia. The case was new, and proportionate efforts were necessary to meet the exigencies of the times. The noble Earl (*Carnarvon*) had accused the Lords Lieutenants of not having endeavoured to fill the commissions with qualified persons, but they certainly did not deserve that imputation, as they had not only endeavoured to do so, but had given a great number of commissions.

Lord Grenville contended, that the spirit of the Old Militia laws was not infringed by the bill before the Committee; but under the present circumstances, the question was, whether or not the best and readiest means should be adopted, for creating a great and efficient force to repel the enemy? A great part of the
noble

noble Earl's objections would be done away by one single consideration, namely, that the bill did not apply to the old, or permanent, but to the temporary Militia. This was only a temporary measure, not attaching on the permanent state of the militia, but called for at this moment of exigency, and this was a full answer to all the objections which the noble Earl had made, that the measure was not intended as an alteration of the principle of the militia, much less could it be considered as an intended fraud. The present officers, he was convinced, would not feel in the least hurt by the admission of the officers in question into their corps. He was sorry to hear the noble Earl, talk of the measure as a species of fraud upon the old officers. Such language was often held groundlessly by persons holding sentiments not consonant with the promoters of particular measures; but he averred that there had been no species of parliamentary compact entered into with the officers of the Old Militia, which the present measure went to infringe. With respect to the idea of its worming out the old officers, that was set aside also by the consideration of the temporary nature of the measure. The plan of additional Militia, instead of an augmentation of the Army was preferred; in many points of view it held forth a greater inducement to the people to enter into it, and the force, from lying each in its respective county, could be concentrated in a greater number at any given point, so as to operate with increased energy and effect. His Lordship said, it was not probable that the Lord Lieutenants of counties would certainly not refuse gentlemen of 999*l.* per annum, on other gentlemen of property in their respective counties. He repeated the assertion, that no regulation, respecting the old Militia, precluded the wisdom of Parliament from interposing any new arrangement, that from different circumstances might be fit and expedient to be applied, but, indeed, it was needless for him to waste their Lordships time in reasoning further upon the subject, as every argument he could use must ultimately resolve itself into the single point, that the present bill and all its regulations referred solely to the Supplementary, and not the Old Militia, consequently no one regulation it contained could be deemed a violation or infringement of any contract made by the Public under any existing Militia Law.

The *Earl of Radnor* said, he was sorry to differ from his noble friend, but so far from concurring with him in opinion, he must contend, that the bill under consideration was a direct violation, and infringement of the contract with the Old Militia. He declared when he came down to the House, he did not in-

tend to say one word on the subject, he meant merely to hear what other noble Lords might advance upon it. He had listened with attention to the noble Earl, who opened the debate, and he agreed with him in his general view of the bill. He was aware that Parliament had the power to repeal, alter, and amend any existing Statute, but would the noble Secretary of State maintain, that it was open to the wisdom of Parliament to set aside the fundamental principle of the Militia, that they were not to be called upon to go abroad? Was that condition no contract between the Militia and the Public? In other instances the present bill was an infringement of the Old Militia laws. In many counties the Supplementary were incorporated with the Old Militia; and as it was provided, that in case part of the forces was to be dismissed, the senior officers were to be retained, it would follow, that many unqualified persons would in that case continue in the Militia. It was his intention then, to move some amendments to the clause in question; and first he would move, that, instead of fourteen days after the passing the bill, the words, "within fourteen days from any subsequent vacancy," should be inserted. This amendment was agreed to.

Lord Grenville said, he did not rise to object to the noble Earl's amendment, though he did not see that it was very material. He rose principally to prevent a false impression of his argument going abroad in consequence of the noble Earl's misconception of his meaning. He was far from either saying, or intending to lay down or maintain so monstrous a proposition as that it was open to the wisdom of Parliament to violate any fundamental principle of the Old Militia. That the Militia were not to be sent out of the kingdom, was undoubtedly a fundamental principle of the Militia, and a matter of special contract solemnly entered into by the Public with that constitutional military force. To depart from it therefore would be a direct breach of Parliamentary faith, and nothing was farther from his intention than to entertain the idea, much more go the length of asserting, that Parliament were at liberty, while the Militia were embodied and in full force to violate any one of the conditions on which it was originally instituted. All he had contended for was, that in point of regulation, the Militia was as subject to any alteration that the circumstances of the times might suggest to the wisdom of Parliament, as expedient and necessary, consistently with its original principles, as the regular army, or any other part of the public force. But he must, once again, entreat their Lordships to hold in mind, that the present bill applied solely to the Supplementary Militia, a new, and meant as a temporary additional force.

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The *Earl of Caernarvon* said, he could not agree that the Supplementary Militia was a new force, on the contrary he considered it as an increase of the Old Militia, and therefore it ought to be governed by the same principles and the same regulations. Nor was the agreement with the Old Militia, that they should not be sent abroad, the only contract entered into at its institution. It was also a condition that it should be officered by gentlemen possessed of a certain qualification in the county to which it belonged, whereas in the present bill, another description of persons were allowed to be officers. The Earl said, that the noble Earl (Lord Hardwicke) had certainly entirely mistaken him, he had not meant, and trusted that he had not so expressed himself as to reflect upon any person as guilty of official neglect, on the contrary, he had referred to the papers on the table, to prove that they had done their duty in such a manner as to remove all grounded pretence for the bill, for by the return it does not appear, that a scarcity of officers existed; what he had meant to express was, that the authors of this bill acting on the supposition of an insufficiency of gentlemen qualified according to law, had not endeavoured to find a remedy with the least deviation from the principle of the Militia, by decreasing the quantum of the qualification and seeking officers in a lower class of property; but availed themselves of the supposed scarcity in the present class, in order to abandon qualification altogether; and have recourse to the army for unqualified officers. The noble Secretary of State had also mistaken him and seemed to have misconceived the operation of the bill, the Lord Lieutenants have no choice, but are compelled by the existing law to refuse the services of all persons of landed property below the present qualification established by law, and of course all gentlemen of 999*l.* *per annum* property, for Colonels and so on; and they will not by this bill, be enabled to accept their services, though they may appoint any person who is not possessed of an acre of land, provided he has served in the army of the India Company. The seeming restraint of confining them *at first* to the same rank as they held in the Company's service, is only an apparent limitation, but throws no impediment in the way of making an Ensign, in two hours, a Colonel; and serves not to limit the Lord Lieutenant in this respect, but to shew he is not limited; notwithstanding, therefore, all assertions to the contrary, it must be obvious, that the principle of qualification is deserted, and that the whole range of property between 1000*l.* *per annum* and the lowest possible landed qualification is deserted, in order to fill the Militia with half pay officers, and such as have served

served in India, unqualified by possession of a single acre : The noble Secretary adds, that one single observation is a full answer to all the objections to this bill; namely, that nothing it contains is applicable to the permanent state of the Militia, that it is only a temporary expedient, from the necessity of the moment, and applicable only during the exigency, and not extending beyond the period of the war; with regard to the word fraud, of which the noble Secretary of State complained, he did not mean it in an offensive sense, but merely to express that the Old Militia Laws held out hopes, which, by the operation of the present bill, the existing militia would feel themselves disappointed of. Neither did he intend to say, that the present bill was a direct infringement of the conditions on which the militia was originally raised, but he was afraid, that such would be the construction put upon it. The noble Secretary of State forgets that, what he deems an Exigency is the only existing state of the Militia; invasion or imminent danger of invasion, and actual rebellion are the only causes which call it out of its inanimate state and give it life; it sleeps during peace, like those animals which sleep all winter, it has scarcely a visible form, except during the monthly drill. The present state of the Militia is, therefore, no peculiar and unforeseen exigency; it was formed with no other view, created for no other end, it was not modified for another state of affairs, and therefore requiring to be new modelled, to meet an unexpected and unforeseen difficulty of the moment; if, therefore, the qualifications are to be dispensed with every time an invasion is threatened, they can never exist but for the purpose of being suspended, and of contributing to defraud (I wish I knew a less objectionable phrase) those who come forward to serve under their country neighbours of landed property, and by gradual changes and alterations of the laws, find themselves subject to the command of unqualified strangers from the East Indies, influenced by different habits of life, and governed by different opinions and prejudices.

The question was put, and the clause was carried with the amendment.

The *Earl of Radnor* then proposed a second amendment, to the effect of preventing the officers, admitted under the sanction of the above clause, from being appointed field officers.

A few words in explanation passed between the noble *Earl*, and Lord Grenville.

The *Earl of Carnarvon*, in support of the observations of the *Earl of Radnor*, recapitulated some of his former arguments, the

the drift of these principally was, to recommend a reduction of the qualification at present required by the law.

After some farther explanatory conversation between Lords Grenville, Carnarvon, and Radnor, his Royal Highness the Duke of Clarence said, that it was the province of the Lord Lieutenant to give into the Secretary of State for the Home Department the names of the officers. He doubted greatly, however, whether in the old militia the officers were always qualified persons. It remained with the Lord Lieutenant to recommend such persons as he conceived to be fit and proper.

The amendment respecting field officers was rejected.

Earl Radnor moved, that persons not properly qualified in point of property should not be commanders of corps.

Lord Viscount Sydney said, he well knew from the line of conduct that he had followed, when the militia was originally instituted, that every thing which fell from him on the subject, would be regarded with an eye of jealousy. Though adverse to the institution at first, he was not so abstract, now the institution had been put to the test, to wage eternal war against the militia; on the contrary, he entertained a great degree of respect for it collectively, and for his noble relation (*Lord Townshend*) and other noble and respectable persons, who had done themselves honour by patronizing it. He owned the sentiments of his mind had fallen in pretty much with the arguments of the noble Earl, who opened the debate, and the noble Earl who moved the amendment. He could not however help wishing that the additional force to be raised under the present bill, had been raised upon other principles than as a supplementary militia, and made applicable to all the purposes of the regular army. He lamented that so many gallant officers had been driven from the service, and instead of a supplementary militia, he wished to see the skeleton regiments clothed with flesh, and the new levies rendered of efficient service to the country at home or abroad, as occasion might require. He would however check himself, as he felt he was digressing from the subject of the bill before their Lordships, and conclude with objecting to the proposed amendment as incompatible with the original principles of the militia.

Earl Fortescue observed, that by the adoption of this amendment, a stigma would be thrown upon men, who, holding the rank of majors or lieutenant-colonels, could never exercise the power of commanding officers. For this reason he was sorry that the former amendment of the noble Earl had not been adopted, and he would take an opportunity in another stage of of the bill, to offer a similar one: as he wished to exclude the description

description of persons in question from holding the rank of field officers at all. As to lowering of the qualifications, he was so far from thinking it proper or necessary, that were it not for the importance and pressure of the present season, he should be for increasing those qualifications; and he would propose that such a measure should be adopted whenever the militia was disembodied, and the country was in the enjoyment of peace.

The House then divided on Lord Radnor's amendment.

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Lord Powis then moved two amendments—that nothing contained in the act should prejudice the claim of any officer to a provision in time of peace; and that in case the appointment of a second adjutant was necessary in any regiment, he should hold the rank of lieutenant by brevet, or any other rank he might have had before in his Majesty's forces, not above that of captain-lieutenant by brevet. These were agreed to, and the Committee having gone through the bill, the report was ordered to be received on Monday next.

Adjourned to Monday.

The following are the Clauses, the Amendments moved in each are printed in *Italics*.

The first Proviso, that no officers, who shall not be qualified according to the 26th of the King, was upon motion left out.

And be it further enacted, That if in any County, Riding, or place, a sufficient number of persons duly qualified according to the said acts of the twenty sixth and thirty-seventh years of the reign of his present Majesty, or either of them, cannot be found within fourteen days from the passing of this act, *or within fourteen days from any subsequent vacancy*, to accept of commissions in the Supplementary Militia to be raised for the said County, Riding, or Place, it shall be lawful for the said lieutenants, and deputy lieutenants respectively, to appoint any persons to be officers in the said militia, who have served in any of the land forces of the United Company of Merchants trading to the *East-Indies*, and who have either retired therefrom, or are resident in *Great-Britain*, with the leave of the said United Company, as his Majesty shall approve, although not qualified according to the said acts, or either of them, so that such persons shall not, on their first appointment, be appointed to any higher rank in the militia than they respectively have or have had, under the said United Company. *Provided nevertheless, that no such person so to be appointed, shall be appointed a field officer, commandant of any regiment, battalion, or corps.*

And be it further enacted, That any militia officer of any militia regiment, *battalion or independent company*, who may have accepted, or shall, during the continuance of the present war, accept, a commission or appointment of the same rank in any other militia regiment, *battalion or independent company*, shall continue to rank in the general service according to the date of his first commission or appointment in the militia.

Provided also, and be it hereby enacted, That nothing in this act, shall extend to the reduction of any officer of the militia, who is, or may be entitled to a certain allowance in time of Peace, in pursuance of the act of the 35th of the

the reign of his present Majesty.

Be it also, and it is hereby enacted, That in all cases where it may be found necessary to appoint a second adjutant to any regiment of militia, it shall be lawful for the lieutenant of the County, Riding, or Place, to grant to such second adjutant, unless his Majesty shall disapprove the same, the rank of lieutenant by brevet, or if he shall have served in his Majesty's other forces, any rank which he may have held therein not exceeding that of captain-lieutenant by brevet also.

The fourth Clause respecting the reduction of officers, &c. was on mention left out.

HOUSE OF COMMONS.

FRIDAY, May 18.

The British Fisheries Bill and the Tanners Bill went through a Committee, and the reports were ordered to be received on Monday next.

The report of the Committee on the Southern Whale Fishery Bill was received.

Mr. Tait presented a petition from the Brewers of Edinburgh against the Scotch Twopenny Ale Bill.

The Committee on the Salt Duty Regulation Bill, which stood for Monday, was, on the motion of Mr. Hawkins Brown, put off to Wednesday next.

The House having resolved itself into a Committee for the further consideration of the

AMENDED LAND TAX BILL.

The *Chancellor of the Exchequer* observed, that as the amendments which had been made to the bill contained no new principle, he did not suppose that they would excite discussion. He should therefore simply propose, "that these amendments be now read."

Mr. *Sheridan* considered the bill so unjust in its principle, so oppressive in its tendency, and so impracticable as a measure of finance, that it could not long survive the period of its passing into a law. Already there was a clause in it reserving a power to repeal, vary, and amend it in the course of the present Sessions; but in his mind its mischievous tendency could only be counteracted by the House enacting a reservation of a power to repeal it in any future Sessions. It was his intention, therefore, in some future stage of the bill, to move for leave to bring up a clause to that effect. He need not add, that in case of such a clause being adopted, and the bill in consequence repealed, the purchase money must be returned, with interest, to the purchasers, of the Land Tax.

The *Chancellor of the Exchequer* hoped the hon. Gentleman would improve on the opportunity he had reserved to himself

for considering his clause, and believed that on reflection he would see the absurdity of proposing it. "If the bill merited the epithets 'unjust and oppressive,' if that House thought the measure impracticable, instead of passing it with such a clause as that hinted at by the hon. Gentleman, they would fail in the performance of their duty if they passed it at all."

Mr. *Sheridan* replied, that the clause of which he had given notice would not be the offspring of rashness, for he had reflected much upon it; but the right hon. Gentleman had that night opposed it without reflection. The fact was, that scarce any Legislative Act, of the magnitude of the present, had ever passed without a similar clause.

The *Chancellor of the Exchequer* said that the hon. Gentleman had certainly very little attended to the History of the Acts of the Legislature, or he never could have asserted that all, or most Legislative Acts, were passed with a reservation of the nature of that alluded to.

Mr. *Buxton* said, he rose to offer a clause, of which he had given notice on a former occasion. It was, that no Land Tax should be imposed in future, which did not equally affect all other species of property. Though he was sensible of his inability to conduct this measure in a manner which it deserved, yet he would not be deterred or shrink from performing his duty. If they went into the principle, or looked at the origin of the land tax, they would find that it originated while there existed two very strong parties in the kingdom, one in favour of an abdicated Monarch, and the other in favour of the King in possession. The one party gave the full amount of their rental, and the other did not; hence arose an inequality. What he asked by his clause was this, that in future there should be no distinction of property. At present there was a distinction. The landed property paid very heavy rates, poor rates, highways, &c. &c. And this was no new principle, it was found in the original land tax. He saw no reason why the landholder should be in a worse situation than the stockholder. He asked that the landholder should be protected. Gentlemen might argue, that the faith of Parliament was pledged to the stockholder; but he asked justice for the landholder, which was equally important. He therefore should propose a clause, "that no land tax in future should be imposed, which did not equally affect all other property, as far as the same could be ascertained."

Mr. *Peele* thought this clause extremely objectionable. It not only would be a declaration that the present Chancellor of the Exchequer had no capacity, and could not suggest those
taxes

taxes that the nation could best pay, but that every future Chancellor of the Exchequer would be liable to the same suspicion. He approved of the measure, because by its operation he could purchase that land tax at the rate of 18 years purchase, for which formerly he paid thirty years purchase. Undoubtedly much of his property was in its nature mercantile, but he was also a man of some landed property, and he wished that attempts might not be made to raise an invidious distinction between kinds of property so blended as that of the landed man and the merchant or manufacturer necessarily were. Considering that the effect would be to raise this distinction, he could not help observing that a man would be excusable to suspect that France had dictated the present proposition.

The *Chancellor of the Exchequer* did not doubt the purity of the motives which had induced his hon. Friend to propose this clause, and so far was he from differing from him on the theory, that he concurred most cordially in the principle of the measure, and joined in wish with all who were desirous that an equal tax should be imposed on all kinds of property. It was a measure to which he had long directed his attention, and the House would do him the justice to recollect, that he had once or twice spoken of it as one of those measures, by means of which the country would, in a crisis of difficulty, be best enabled to struggle with, and support itself against the desperate foe with whom we had to contend. But in proportion as he felt the importance and could appreciate the utility of a plan of finance, having that wise and magnanimous principle for its basis, he felt and appreciated the necessity of considering it profoundly. At that moment it was utterly impracticable; and the adoption of the clause proposed by his hon. Friend, would therefore not only have the effect of incapacitating the Chancellor of the Exchequer as a Finance Minister, but was in fact a call on that House to tie up the hands of Parliament. Were the measure practicable, he believed there would be but one wish expressed by the country, and that would be that it should immediately take effect; but knowing that no period could be fixed for the perfecting of the plan, he would by no means give up a present resource with any view to the operation of a principle, which, however just in theory, must, to be beneficial, first be rendered practicable. He had already declared himself not desirous of imposing an additional Land Tax, without at the same time imposing an equal tax on all property; but the present clause involved a pledge of that House to debar itself not only from imposing an additional Land Tax, but any tax whatever. Either this would be its effect, or it must be nugatory.

tory. For nothing could be more obvious than that, even in the case of a total inability to arrange a practicable plan of taxing all property, this clause would deny us that right which in truth Parliament had always professed, of imposing an additional tax upon land. No Gentleman in that House more respected the landed gentlemen than he did, and nothing could be more grateful to his feelings than the recollection that in the performance of his public duty he had never diminished their comfort. But he must not forget, that the monied interest, that commerce, manufactures, and the arts, contributed liberally, to the maintenance of the national character, its dignity, and independence. It was indeed not easy to draw the line between these interests, and say whether this side or the other could claim the balance of patriotism and public spirit. And he would beg leave to remark, that the Land Tax had continued at 2,000,000*l.* annually, ever since the beginning of the present century, although the revenue of the country had since then increased from about 10 to more than 25,000,000*l.* Thus did the present revenue exceed, by nearly three times its amount, the revenue of that period; and it was a memorable fact, that the other sources of revenue at the time this tax was originally proposed, afforded only the additional sum of 1,500,000*l.* It was necessary that the Committee should be reminded of these facts, in order to their being able to judge whether the landed interest were by the present bill treated with severity. Yet once for all he would repeat, that an equal tax, such as had been alluded to, was with him a favourite measure. If, however, an extremity should arise, when with a view to national defence it would be wise to add an equal tax of one shilling in the pound on land, he should not hesitate to propose it, even though he should not be able to lay a general tax according to his wish. On these grounds, therefore, he must oppose the motion of his hon. Friend.

Sir *W. Pulteney* agreed in favour of the clause, and contended that a tax upon land did not affect the monied interest. It appeared to him, that the Chancellor of the Exchequer spoke out in a very plain manner with respect to his intention of imposing a future land-tax; and the present measure was, in his mind, but a traffic, and a means to get more securely at the land. He thought that the landed gentlemen should not be at the mercy of the Chancellor of the Exchequer. Taxes could not be laid upon commerce, without affecting the land; but land might be taxed, and the monied interest not in the least suffer. It was impossible to lay an equal land-tax; for if we had the exact value of every acre, and taxed the whole in
pro-

proportion: if you took 10l. a year from the man of 100l. per annum, it was more than 100l. from the man of 1000l. per annum; therefore it would be unequal. He considered the question differently from the hon. Gentleman, who thought himself a gainer by purchasing that at eighteen years purchase, for which he had an allowance of thirty; but he was convinced, that he would soon have another land-tax of equal amount, and he might purchase that at eighteen years purchase, and then he would pay thirty-six years purchase. The hon. Gentleman had avowed his intention of adding an additional burthen upon land, and he applauded him for his candour; it was what he had all along suspected.

The *Chancellor of the Exchequer* replied, that the honourable Baronet had most grossly misrepresented him. He had never in the slightest degree intimated that it was his object to lay an additional land-tax; and so far from that being the case, he had only stated it as a wise and salutary measure, to which the country might possibly have recourse in certain extremities. On the contrary, he had argued that an additional land-tax was at that moment as much in the power of Parliament as the present measure under the discussion of the House. He had also expressly stated, that the bill was rather intended to retard than to accelerate an additional rate on land.

Sir W. Pulteney explained.

Mr. Banks argued in an able manner against the clause, and insisted that it was not calculated to form a component part of the bill in any point of view whatever.

Mr. Sheridan, after observing, that he wished to avoid giving rise to any kind of jealousy between the landed and monied interest, expressed his opinion, that the former was not placed in a just and proper situation. The right hon. Gentleman, (*Mr. Pitt*) in considering the rental of the country, which was about thirty millions, seemed to think that the land-tax of two millions did not affect it much; but it was necessary to notice, that when the tax was originally granted, though the rental only amounted to ten millions, yet there were not twenty millions of permanent taxes to be paid by the public. It was evident that two millions fell heavier on a rental of thirty millions, encumbered and subjected to other heavy taxes, as it was at present, than the same land-tax fell upon a rental of ten millions, in the time of King William, when the taxes upon every part of the community were, indeed, trifling compared with those of the present day. It was true this might be a bonus to monied men, but to the landed Gentlemen it must be a source of vexation, of oppression, and injustice. He was of opinion,

opinion, that the clause was necessary to obviate any apprehension of partiality on the subject of every additional duty. There was another strong objection: it was calculated by the Committee of Finance, that from thirty-five to forty years hence, there would be no taxes above what would be required for the annual service of the nation; and if the Sinking Fund would have that good effect, where was the justice of making the land-tax perpetual? That ought to be taken off in preference to any others, as Tobacco, Spirits, &c. The strongest objection, however, which he had was, on the constitutional ground of the loss of that check which Parliament preserved by an annual vote; and having said this, he would not add a word more.

The Chancellor of the Exchequer explained.

Mr. *Wilberforce* argued at some length against the clause, and shewed that it was highly impolitic, while no practical interference with respect to any essential benefit could be drawn from its incorporation with the bill.

Mr. *Sheridan* and Mr. *Wilberforce* explained.

Mr. *Burdon* professed himself friendly to the clause.

Mr. *Ryder* spoke against it.

Mr. *Buxton* and Mr. *Ryder* explained.

Sir G. P. *Turner* supported the clause.

<i>Ayes</i>	-	-	-	-	-	-	63
<i>Noes</i>	-	-	-	-	-	-	126

Majority - - - 63

The Chancellor of the Exchequer moved that the report be taken into further consideration the next day, to which an amendment was moved by Lord Sheffield, to insert the words "this day three months," instead of "the next day."

The House having divided on the amendment,

<i>Ayes</i>	-	-	-	-	49
<i>Noes</i>	-	-	-	-	132

The report was consequently ordered to be taken into further consideration the next day.

Adjourned at twelve o'clock.

Division upon Mr. *Buxton's* Clause for raising no new Land Tax without taxing all other property as far as that can be ascertained.

Anson, Thomas

Litchfield.

Baker, W.

Herts.

Balford, J. P.

Devon.

Beach,

Beach, M. Hicks
 Blackburne, T.
 Biddulph, R.
 Burdett, Sir F.
 Burdon, R.
 Carew, R. P.
 Cartwright, W. R.
 Colbourn, William
 Coke, T. W.
 Denison, J.
 Dickens, F.
 Dolben, Sir W.
 Fellowes, W. H.
 Fletcher, Sir H.
 Fowlkes, Sir W.
 Goddard, Ambrose
 Heathcote, Sir G.
 Hill, hon. W.
 Hobhouse, Benjamin
 Hufley, W.
 Jervoise, J. C.
 Jolliffe, W.
 Jones, J. J.
 Keck, G. A. L.
 Kemp, —
 King, Sir S. D.
 Lambton, R.
 Langston, J.
 Langton, J. G.
 Lemon, Sir W.
 Lloyd, F.
 Lygon, —
 Martin, J.
 Mildmay, Sir H.
 Milford, Lord
 Milner, Sir W.
 Nicholls, J.
 Pierrepoint, E.
 Plumer, W.
 Porter, Colonel
 Portchester, Lord
 Powel, J. Kynaston
 Rastleigh, P.

Cirencester.
 Lancashire.
 Herefordshire.
 Boroughbridge.
 Durham County.
 Fowey.
 Northamptonshire.
 Bedford.
 Norfolk.
 Wootton Bassett.
 Northamptonshire.
 Oxfordshire.
 Huntingdon.
 Cumberland.
 Lynn.
 Wiltshire.
 Lincolnshire.
 Shrewsbury.
 Bletchingly.
 Sarum.
 Yarmouth, Hants.
 Petersfield.
 Denbigh.
 Leicestershire.
 Lewes.
 Wycombe.
 Durham.
 Minehead.
 Somersetshire.
 Cornwall.
 Montgomeryshire.
 Worcestershire.
 Tewkesbury.
 Westbury.
 Pembrokeshire.
 York.
 Tregony.
 Neotta.
 Herts.
 Stockbridge.
 Cricklade.
 Salop.
 Fowey.

Richardson,

Richardson, J.	Newport, Cornwall.
Ridley, Sir M. W.	Newcastle.
Sheffield, Lord	Bristol.
Sheridan, R. B.	Stafford.
Sinclair, Sir J.	Petersfield.
Smollet, Colonel	Dumbartonshire.
Sturt, C.	Bridport.
Tufts, hon. H.	Rochester.
Turner, Sir G. P.	Thirsk.
Vaughan, Sir R.	Merionethshire.
Vyner, Robert	Lincolnshire.
Walpole, hon. G.	Derby.
Western, C. C.	Maiden.
Wilkins, W.	Radnorshire.
Willson, R.	Barnstaple.
Wood, Colonel	Newark.

TELLERS.

Burton, R.	Bedwin.
Pulteney, Sir W.	Shrewsbury.

Second Division for putting off the consideration of the report of the Bill for the sale of the *Land Tax* for three months :

Anson, T.	Litchfield.
Bastard, J. P.	Devon.
Blackburne, J.	Lancashire.
Biddulph, R.	Herefordshire.
Brogden, J.	Launceston.
Burdet, Sir F.	Boroughbridge.
Coke, T. W.	Norfolk.
Combe, H. C.	London.
Colhoun W.	Bedford.
Dennison, J.	Wooton Bassett.
Fletcher, Sir H.	Cumberland.
Geary, Sir W.	Kent.
Hussey, W.	Salisbury.
Hobhouse, B.	Bletchingly.
Hill, hon. W.	Shrewsbury.
Jones, J. T.	Denbeigh.
Jolliffe, W.	Petersfield.
Jervoise, J. C.	Yarmouth, Hants.
King, Sir J. D.	Wycombe.
Lloyd, F.	Montgomeryshire.
Lemon, Sir W.	Cornwall.

Lambert,

Lambton, R.	Durham.
Langston, J.	Minchhead.
Martin, J.	Tewkesbury.
Milner, Sir W.	York.
Nichols, J.	Tregony.
Pierrepont, hon. E.	Nottinghamshire.
Plumer W.	Herts.
Palk, Sir L.	Devon.
Pulteney, Sir W.	Shrewsbury.
Porter G.	Stockbridge.
Ruffel, Lord W.	Surry.
Kynaston Powel, J.	Salop.
Ruffel, Lord J.	Tavistock.
Rushleigh, P.	Fowey.
Ridley, Sir M.	Newcastle.
Robson, R. B.	Oakhampton.
Richardson, J.	Newport, Cornwall.
Sturt, C.	Bridport.
Sinclair, Sir J.	Petersfield.
Sheridan, R. B.	Stafford.
Tufton, hon. H.	Rochester.
Vyner, R.	Lincolnshire.
Vaughan, Sir R.	Merionethshire.
Wilkins, W.	Radnorshire.
Wigley, E.	Worcester.
Wilson, R.	Barnstaple.
Western, L. L.	Malden.
Walpole, hon. G.	Derby.

TELLERS.

Tierney, George
Sheffield, Lord

Southwark.
Bristol.

HOUSE OF COMMONS.

SATURDAY, May 19.

Proceeded through the remainder of the amendments in the Land Tax Bill.

Lord *Sheffield* said the amendments were very numerous; and there never had been any opportunity for the House to understand them; and therefore he thought the bill ought to be recommitted.

The *Chancellor of the Exchequer* said there was nothing to prevent the Noble Lord, as a member of the House, from

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discussing

discussing every one of the amendments. Many Gentlemen complained it was not possible to understand this Bill; but that complaint was not founded on a good perusal of its contents.

Lord *Sheffield* then moved, That the Bill be re-committed.

The *Chancellor of the Exchequer* said it would be competent to the Noble Lord, or any other member to make that motion on the third reading, but if it were to be committed now, with all the amendments, before the whole was ingrossed, it must necessarily be unintelligible.

Lord *Sheffield* said, that his motion might be deferred to the time of the third reading, and therefore withdrew it for the present.

The Bill with the amendments, was then ordered to be ingrossed, and read a third time on Thursday next, if then ingrossed.

Adjourned.

HOUSE OF LORDS.

MONDAY, *May 21.*

Forwarded the Bills on the Table, in their respective stages. The House was then ordered to be summoned for the next day on the Report of the Militia Officers Bill.

Adjourned.

HOUSE OF COMMONS.

MONDAY, *May 21.*

A Message from the Lords informed the House that their Lordships had agreed to the National Debt Reduction Bill, and to several private bills.

The *Lord Mayor* brought up the Report of the Committee on the Bakers Bill, which was ordered to be engrossed.

FEES IN COURTS OF LAW.

Mr. *Abbott* brought up a Report from the Secret Committee of Finance, stating that the Committee had proceeded to examine into the fees and salaries which were taken in the different Courts of Westminster Hall; that the Curstors of the Court of Chancery had under their common seal expressed an opinion that the committee was not authorized to enquire into this matter; that one of the Assistant Curstors, had, however, attended and expressed his readiness to give

give in any account which the Committee might call for on this subject, as far as it regarded himself; that the three Prothonotaries of the Court of Common Pleas had also declined making any return of their fees and salaries to the committee. The Select Committee were therefore anxious to receive directions from the House how to proceed relative to the circumstances related in the report.

Mr. *Abbott* said, that as chairman of the select committee, he deemed it his duty to call the attention of the House to the report just laid before them, as containing matter of a very grave and serious nature. It was not, however, his intention to press any discussion on it that day; but, on the next, in compliance with the directions of the Committee, he would move for taking the report into consideration.

The Report was then ordered to be taken into consideration the next day.

EXPORTS AND IMPORTS.

The Report of the Committee of Ways and Means, respecting the new tax on Imports and Exports, was brought up; and the various resolutions being read;

Sir *Francis Baring* rose, and renewed his objections against the policy of the Bill, and expressed his sincere wish that the commerce of the country might be permitted to remain on its old foundation, to which its prosperity was in a great measure to be ascribed.

The *Chancellor of the Exchequer* could not help expressing his surprise at the nature of the objections urged by the hon. Gentleman against the present measure; and he was the more surprised at them when he heard them persisted in by that hon. gentleman, of the extent of whose commercial knowledge and experience he entertained the highest idea. The opinion, however, to which he then adhered, was contrary to that of the great body of merchants who had been consulted respecting the propriety of the measure. Some difference of opinion had indeed prevailed with regard to the scale of different duties; but on the main point of the trade not being permitted to sail without convoy, all uniformly concurred that the measure now about to be adopted, was the most salutary regulation that could be provided. The extent of our trade, which was even increased by the nature of the contest we are engaged in, the necessity of a consequent increased protection, and the smallness of the expence attending that increased security, were powerful arguments in favour of its adoption; while there was moreover every reason to believe that great part of the bur-

then it may occasion may fall, not on the merchant, not on the insurer, not on the manufacturer, but on the foreign consumer, which the House and country must feel to be a fair subject of pride and exultation.

After a few words from Mr. *Bastard*, the resolutions were agreed to, and a bill ordered to be brought in pursuant to the same.

On the motion of Mr. *Alderman Lushington*, the second reading of the bill for the improvement of the port of London, was deferred till Friday next.

The Committee on the armorial bearings bill was postponed till the next day.

The report of the resolutions respecting the importation of spices was brought up, and a bill ordered pursuant to the resolutions.

The Committee on the misdemeanor costs bill was deferred till Wednesday—also the Committee on the Isle of Man bill.

Mr. *Alderman Lushington* then moved, that the report on the ship owners relief bill be now taken into further consideration.

Sir *William Dolben* thought that the slave carrying bill should have the preference. It was a bill of great importance, its consideration had been deferred several times; and counsel were now attending to speak on it. The session was moreover drawing to a close, and the bill was likely to be much discussed in another House. He could not therefore consent to its being further delayed.

Mr. *Alderman Lushington* declared that he could safely say, that the bill which he called the attention of the House to, was of equal, if not of much greater importance, and embraced a much wider circle of interests. After a few words from Mr. *Wilberforce* for giving the preference to the Slave carrying bill, the House divided,

Ayes, (for now discussing the ship owners bill) 41

Noes, - - - - - 23

The House then entered into the consideration of the former bill, when a conversation arose on the responsibility clause, it was opposed by the *Master of the Rolls*, Mr. *Percival*, Mr. *Bragge*, and Mr. *Brown*; and supported by Mr. *Alderman Lushington*, Lord *Hawkesbury*, and Mr. *Jodrel*.

Mr. *Ryder*, in order to accommodate both parties, moved an amendment, that the clause was not to have any retrospective effect, upon which the House divided,

Ayes - - - - - 24

Noes - - - - - 29

The question was then put on the clause itself, which was negatived. Several other divisions took place on the other clauses.

Petitions were presented on behalf of the Merchants of London, Bristol and Liverpool; as also on behalf of the West India planters against some clauses for regulating the height between decks of vessels to be employed in the African Slave Trade. Referred to the consideration of the Committee, with other Petitions on the bill.

Counsel were then called in to support the allegations of the petitions against the new clauses of the bill.

Mr. *Law* having proceeded for a few minutes at the bar for the petitioners.

Colonel *Gascoigne* desired that counsel should withdraw. Which being complied with, he observed, that the purpose of calling counsel was to make an impression upon a *full* not a *thin*, House, in this important business; he therefore desired the House might be counted; which being done, there appearing in the House only thirty-two Members, an adjournment took place of course.

HOUSE OF LORDS.

TUESDAY, *May 22.*

A great number of bills were brought up from the Commons.

The bills on the table were forwarded in their respective stages.

The Reports of the Militia Officers Bill was postponed till the next day.

The second reading of Parker's divorce Bill was deferred till Thursday week. Adjourned.

HOUSE OF COMMONS.

TUESDAY, *May 22.*

The bill for the better encouragement of the Southern Whale Fishery, was read a third time and passed.

The bill for regulating the mode of Tanning Leather, was ordered to be read a third time on Friday, if then engrossed.

The bill for imposing a duty on Armorial Bearings, passed a Committee of the whole House, and the Report was ordered to be received the next day.

REPORT OF FINANCE COMMITTEE.

The *Chancellor of the Exchequer* moved the Order of the Day for taking into consideration the Report of the Select Committee of Finance.

The

The several reports of that Committee, as well as the re-appointment of it, and also the instructions given by the House, that they have power to enquire into certain fees, &c. of officers belonging to courts in Westminster Hall, were read; and also the answers of the Cursitors of the Court of Chancery, and the Prothonotaries of Court of Common Pleas. The former of these Gentlemen state, that their fees are uncertain, depending on their business like that of a counsel, but having no reference to the public revenue, they insisted that the Committee was not authorized to require of them a list of their fees and emoluments. The latter say, that their office of Prothonotary is a freehold office; that they have no salary or any emolument whatever, payable out of the public revenue, nor are any of their receipts connected in any way whatever with the public; and they humbly conceive they are not bound to give an account of such fees, &c. as required by the Committee.

The *Chancellor of the Exchequer* then took a view of the subject; in the course of which he observed, that the controul of the House extended as much over the examination into the emoluments of individuals who held public offices, as it did over any branch of the public revenue, which defrayed the whole of our public expenditure. He maintained also that the Committee was authorized by the House to make the enquiries they proposed to make of the Cursitors and the Prothonotaries who had hitherto declined answering. It was, in his opinion, an object to investigate all these fees and emoluments with a view to future regulations in them, but not to make any diminution in the incomes of these gentlemen without the establishment of a Fee Fund, out of which they should be indemnified for any loss they might sustain. He was so far from wishing to diminish the salaries of some of the higher officers of the law, that he had an intention of moving at a future day an augmentation to the salaries of some of the Judges, as being under all the circumstances of the present time necessary to support the outward shew of Ministers of Justice; but still that was no reason why an enquiry should not be made into offices, fees, and emoluments, because it was possible that some regulation might be formed that would render the administration of Justice cheaper in some respects than it is at present. He disclaimed all idea of any thing disrespectful towards any of the honourable and learned Gentlemen into whose offices, fees and emoluments, enquiry was proposed to be made. He concluded with moving, "That the said Committee was authorised to require from the Cursitors of the Court of Chancery, and the Prothonotaries

Prothonotaries of the Court of Common Pleas, returns to the order referred to in said report."

The *Master of the Rolls* did not rise to oppose this motion, nor to say any thing against the Gentlemen who had declined to answer the Committee. He had given in an account of his fees and emoluments; it was for the House now to determine to what extent they gave authority to the Committee, whatever the decision of the House was, all parties must submit to it.

Mr. *Wigley* thought the Gentleman who had refused to answer the Committee, did rightly; he should have done the same thing were he in that situation; and as to this motion, if it came to a vote he should vote against it.

Mr. *Simeon* complimented the Gentleman whose conduct gave birth to the motion; as he did also the Members of whom the Committee was composed. He was of opinion, that there was no precedent for this measure; he did not think that the House had constitutionally the power to insist on the questions which the Committee had put to these Gentlemen. It seemed to him to be as irregular to put these questions to Gentlemen, as if the House were to order that they should tell what was the rent-roll of their estates, or how much money they had in the Funds.

Mr. *Burton* believed the Gentlemen had acted according to their best judgment, encouraged by the example and the opinions of others. But his opinion was, that the Committee were empowered to institute the enquiry. He considered the cursitors as public officers, because they received certain fines on writs due to the King, which was one part of the revenue of the Crown. These they receive, and pay part to one great law officer and part to another. The Prothonotaries, again, were public officers of the law; and so much did he consider them bound to answer the questions of the Committee, that to the enquiry made of his colleague, who presides in the Court of Chester, and himself, he had made the best return in his power. They were the suitors in the courts of law who paid the fees, and a great portion of these fees are paid to persons holding sinecures, while the duty is performed by deputies. For these reasons he thought the enquiry a fit matter of legislative consideration.

Mr. *Simeon* explained.

Mr. *Abbot* observed, that it would have been utterly impossible to satisfy the instructions of the House without asking the questions which the Committee had put to those law officers;

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officers; and all the report could have proposed was, the House should support its dignity, and pass its judgment accordingly.

The *Speaker* said, that the opinion of the House being now understood, it could not but be effectual. It would, however, not be proper to drop the proceedings on the report of the Committee; but to order that the Report of the Committee of Finance be taken into further consideration on a future day. On motion, ordered that the said Report be taken into further consideration the next day se'nnight.

Mr. *H. Thornton* presented a petition from Glasgow, praying that a system of taxation upon all property may be adopted, &c. Ordered to be laid on the table.

Mr. *Rose* brought up the bill to prevent ships sailing without convoy. Read a first time, and ordered to be read a second time the next day.

The bill for repealing the duty imposed on Licences of Stipendiary Curates passed a Committee, and the Report was ordered to be received the next day.

The further consideration of the Slave-carrying bill was deferred to Friday; as was also the third reading of the Ship Owners bill.

The bill to prohibit the trading in Slaves on the coast of Africa within certain limits, was read a second time, and ordered to be committed to a Committee of the whole House on Thursday. Adjourned.

HOUSE OF LORDS.

WEDNESDAY, May 23.

ARTHUR O'CONNOR, at *Maidstone*.

As the House was proceeding to the Orders of the Day,

Lord *Holland* rose, and begged he might be permitted to call the attention of their Lordships to certain circumstances of a nature so inhuman and atrocious, that he felt it incumbent on him to notice them; and likewise to bring them under the consideration of the House, that his Majesty's Ministers might be afforded an opportunity of contradicting them, should they know the report of them to be unfounded: should they, on the other hand, prove to be true, he must take the earliest occasion to express the horror and disgust which he naturally felt at such proceedings. At all events, they would make the public sensible to what kind of hands such power was entrusted; and as soon as he could give them a maturer consideration, it was his
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his intention to bring the subject forward, and to submit it, in some shape or other, to their Lordships consideration. The circumstances to which he had been pointing, were the following: He had been informed, that immediately upon the honourable acquittal of Mr. Arthur O'Connor, (some noble Lord near Lord Holland seemed to hint a doubt respecting the epithet *honourable*) but Lord Holland said, that he was not to be deterred by the observations of any noble Lord from persisting in what he conceived to be his duty. If he was irregular, he was liable to be called to order, and would accordingly submit. But he would again repeat, that immediately after Mr. Arthur O'Connor's honourable acquittal, he was arrested by a number of Bow-street officers in the Court of Justice, and that the proceeding was understood to be authorised by a warrant, signed by one of his Majesty's principal Secretaries of State, dated the 22d of March ultimo. This proceeding appeared to him very extraordinary and irregular; for Mr. O'Connor was in custody at the time at which the warrant was dated; and were he convinced of the truth of the statement, he would have marked the proceeding with epithets of a far different complexion; he would have styled it not merely absurd, but malignant.

Here his Lordship referred to the late Bill for suspending the Habeas Corpus Act; the last clause of which adverting to persons in custody for High Treason, declared that nothing in that Act should extend to such persons; but that their trials should be proceeded on as if that bill had never passed. This clause might, indeed, be styled candid and moderate, if epithets of so mild a nature might properly be bestowed on any act that had been passed with such precipitancy and intemperance.

Lord Sydney called to order, and insisted that nothing could be more irregular than the observations just made by the noble Lord. If Acts of Parliament were permitted by the House to be stigmatized in such language, if acts, solemnly passed by that House, were to be interpreted according to the construction of the noble Lord's political friends, he could see nothing that could be hazarded with more irregularity. In other times, such observations might, perhaps, be permitted to pass by unnoticed and unproved; but in times of an aspect like the present, they ought to be branded with the most marked reprobation. He must therefore advise the noble Lord, not to attempt treating in such an indecorous manner, acts that had received the solemn assent of the Legislature.

Lord Holland observed, that if the noble Viscount had duly attended to the observations he had advanced, he undoubtedly would have spoken of them in very different language. He

had directed no attack against the act itself; his animadversions attached solely to the manner in which the act had been passed. Lord Holland then returned to the subject of Mr. O'Connor's second arrest, and asserted, that if there was signed against him a warrant on the 22d March ultimo, and that if such a proceeding as that he had described had taken place, Mr. O'Connor would be precisely in the same situation as if the clause, to which he alluded, had never been passed. It was therefore, that the reason for not serving the warrant on the 22d of March was, that another process might be instituted. With respect to the call of order; he confessed that he was somewhat disorderly, in as much as he dilated on a subject upon which there was no motion before the House; but this was a practice not very unfrequent. He had now merely to add, that if he was correct in the statement he had made to their Lordships, it would follow that the country must feel to what description of persons such power had been entrusted, the manner in which it was exercised, and how little security there remained for the persons or property of his Majesty's subjects, as long as the present servants of the Crown were in the enjoyment of power.

The *Lord Chancellor* accorded with the noble Viscount (Sydney) in pronouncing the observations that had fallen from the noble Lord, to be irregular; they were evidently incompatible with the established order of the House, and not less contrary to order, because they were advanced with warmth and precipitancy. In respectful regard, however, to the noble Lord, who was but a young member, he would wish him to make further and more satisfactory enquiries on the subject, before he attempted rather rashly to bring forward such a charge against any part of his Majesty's Administration, especially when it would prove so groundless as the present would be found to be. He also wished, that the noble Lord had allowed himself one day's cool reflection to pause upon the matter, in order to obtain somewhat of accurate observation on the nature of the facts. He would then have found, that so far from any animadversion being justifiable on the conduct of the noble Secretary of State, it must be generally admitted, that acknowledging the fact to be as the noble Lord had stated, no blame whatever could fall on the conduct of Ministers. The warrant against Mr. O'Connor, for High Treason, was dated the 22d of March, and the same Gentleman had been acquitted of another charge of High Treason, brought against him in the county of Kent. This procedure had nothing to do with the suspension of the Habeas Corpus Act; for the acquittal from a charge that had been committed in the county of Kent, did not imply that the above-mentioned Gentleman was not

not guilty of offences committed elsewhere. It would, indeed, appear like something of want of candour and humanity, had it been originally stated that other charges still remained against him. If, therefore, the noble Lord had any accusation to urge against his Majesty's Ministers, it could have no other ground than that Ministers had abstained from making any addition to the charges that already stood against the defendant. He would not now dwell any longer on the subject, but while he observed, that the attempts to release Mr. O'Connor before he was formally discharged, constituted a very illegal and punishable act.

Lord Bulkeley said, that Government would act in a very feeble and pusillanimous manner, unless they did every thing in their power to bring Mr. O'Connor to justice. Mr. O'Connor was, in his opinion, a most dangerous man, and the disaffected in Ireland looked up with sanguine hopes to his acquittal as a new encouragement to their designs. The noble Lord was then proceeding to state some circumstances relative to a Mr. Banks, an Irish Gentleman, who had taken his family to Wales for safety, when he was called to order by the Lord Chancellor, who observed, that every discussion of this nature should be suspended, as Mr. O'Connor was to be tried upon another charge.

Lord Bulkeley apologized and said, that he was desirous to state a circumstance which he thought was nearly connected with the present subject.

Lord Grenville put an end to the debate by moving the order of the day, "That the House do resolve itself into a Committee on the Treating Act. His Lordship entered at some length into a consideration of the bill, to prove to the House, that it ought not to receive their sanction, as its preamble contained an assertion not founded in fact, and the enacting clauses tended to convert Committees of the House of Commons into a court of criminal jurisdiction, a matter neither consonant to the laws of the land, nor recognized by the constitution. The bill set out in its preamble with stating that "doubts had arisen as to the act of King William, entitled 'An Act for preventing charge and expence in Elections of Members of Parliament'; in respect to the incapacity, therein enacted, of any person or persons offending against the provisions thereof to serve again in Parliament for the place for which he or they had been returned by such illegal practices." His Lordship said, he had read the Act of King William again and again, with the utmost care and attention; and he could not find one word in it, which warranted the assertion that he had just read from the preamble

ble of the present bill. Having made this observation, his Lordship referred to the two recent decisions of Committees of the House of Commons on the Southwark Election, and spoke of the Members of those Committees, and their conduct with great respect and delicacy, but intimated his own opinion upon the subject, stating the grounds on which he rested it.—He argued against the constituting a Committee of the House of Commons a court of criminal jurisdiction, and shewed by unanswerable reasoning that the constitution, though it vested great powers and extensive functions in the House of Commons, never had in view the cloathing the House of Commons with the office and authority of a court of criminal justice. He had occasion to refer to the Act,* which experience had manifested to be of such striking utility, and from which so many important advantages had been derived, and said that the great and wise man, if he might be allowed to term him so, who was the author† of it, never had it in his contemplation to go the length of the present bill, which he maintained, declared that to be law, which was directly at variance with every established or received notion of law. After very amply discussing the whole of the subject, his Lordship moved that the bill be committed that day three months.

The *Duke of Norfolk* said, though he pretty much agreed with the noble Secretary of State in most of his arguments, he differed from him in regard to his motion. He thought it was actually necessary that the law should be declared one way or other; he was almost indifferent which way, but perhaps he should be rather inclined to the lenient side of the question, and to agree that the person or persons proved before a Committee of the House of Commons to have offended against the Act of King William should not be incapacitated to be re-elected for the same place during the continuance of a Parliament. He did not mean to say any thing disrespectful against the Members of the two Committees, to which the noble Secretary of State had referred, nor against their respective Reports, on the two elections; on the contrary, he believed they had acted honourably and honestly, and formed a decision such as their consciences approved, but as it was certain that former Committees had decided differently, he thought it absolutely necessary to pass a declaratory law on the subject, and not let it remain vague, doubtful and undefined. He, therefore, thought the bill might go to a Committee, where they might alter or omit some of the enacting clauses, and confine the bill merely to its declaratory object.

* The Election Committee Act.

† His Father.

Lord Grenville said a few words in reply, to shew that the bill was too radically erroneous to admit of the probability of being usefully corrected in a Committee, and (on the suggestion of *Lord Walsingham*) moved that the bill be rejected, instead of his former motion of being read that day three months.

The *Lord Chancellor* left the woolsack, merely to make a single observation, viz. that if the bill were rejected, and a message sent down to the House of Commons to that effect, it would rather make an ungracious appearance upon a point so peculiarly relative to that House, and the Commons might send up another, and perhaps the same sort of bill again, even in that very advanced period of the Session, whereas the object would not at all suffer by a little delay, and in the next Session it might be again taken up, coolly and dispassionately, and a new bill more properly and guardedly framed be introduced. He therefore suggested to his noble Friend, that it might be more advisable to abide by his first motion.

Lord Grenville instantly fell in with the noble and learned Lord's opinion, and the question was put "that the bill be committed on that day three months."

The *Duke of Norfolk* said, he could not forego his wish that the bill might go to a Committee, in order that a declaratory law might pass on the subject.

Lord Grenville's motion was carried.

The Report of the Militia Officers Bill was then received, when *Lord Grenville* stated his reasons for moving to omit that part of the clause which empowered Lord Lieutenants of counties to admit officers, who have served in the East India Company's service, to serve in the Supplementary Militia when qualified officers could not be found to take commissions.

The words referred to were omitted. Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, May 23.

Mr. Woodmason's Divorce Bill passed a Committee of the whole House, and the Report was ordered to be received.

The House, in a Committee of Ways and Means, voted, That the sum of 667,916l. 13s. 4d. be raised by way of Lottery, to consist of 50,000 tickets, at 13l. 7s per ticket. Report ordered to be received the next day.

Mr. St. John said, that in consequence of information he received, he should, unless that information should hereafter appear to be unfounded, be under the necessity of laying a very important matter before the House, relative to a recent event.

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The *Chancellor of the Exchequer* said, he should like to know the nature of the subject to which the hon. Gentleman alluded, nothing could be gathered from what he had said.

Mr. *St. John* said, the circumstances of the matter he had alluded to, he should not detail until he had more distinct information. It related, however, to what had recently taken place at Maidstone, to the circumstance of the second warrant with which Mr. O'Connor was charged.

The *Chancellor of the Exchequer* gave notice, that he should to-morrow move for leave to bring in a bill for augmenting the number of seamen.

Colonel *Gascoigne* presented a petition from the inhabitants of Liverpool, praying that they may have permission to raise a rate upon themselves for the purpose of putting the port, &c. in a proper state of defence, in case of any attack by the enemy.

The petition being read,

The *Chancellor of the Exchequer* said, this must strike every one as a proof of very laudable zeal, and highly to the honour of the parties presenting it; he had nothing at present to move upon that subject; but he took this as a suggestion for something of a plan for a general national defence; this, as it appeared to him, formed the ground-work of a very important plan, by which the public spirit of the people might be most usefully carried into effect; and he did not wish to see it pass by as a mere private measure.

The petition was then ordered to be laid on the table.

Mr. *Wilberforce* moved the Order of the Day upon the bill for empowering Magistrates at Quarter Sessions to grant, out of county rates, costs in cases of misdemeanour.

The House in a Committee upon the bill,

Mr. *Percival* proposed an amendment to one of the clauses, for the purpose of giving such power to the Judges of Assize, instead of Magistrates at the Sessions; upon which a debate arose, and the Committee divided,

Ayes (For the amendment) - - - - 16

Noes - - - - - 29

Majority - - - - 13

The bill then went through Committee, and the Report was received immediately. Ordered to be taken into further consideration on Friday, and to be printed.

The Armorial Bearing bill was ordered to be read a third time on Friday, if then engrossed.

Deferred the other Orders of the Day. Adjourned.

HOUSE OF LORDS.

THURSDAY, *May 24.*

Read the several bills on the table in their respective stages.
Adjourned.

HOUSE OF COMMONS.

THURSDAY, *May 24.*

At four o'clock there being only thirty-four Members present, an adjournment took place of course.

HOUSE OF LORDS.

FRIDAY, *May 25.*

The bill for the more effectually manning the Navy was brought up from the Commons, and immediately forwarded through all its stages. Adjourned.

HOUSE OF COMMONS.

FRIDAY, *May 25.*

Woodmason's Divorce bill was read a third time and passed. On the motion of the Attorney General the Committee on the Newspaper Bill was deferred till Thursday.

The *Attorney General* stated to the House, that in consequence of certain circumstances which had come to light at the late trials at Maidstone, he felt it his duty to move for leave to bring in a bill to prevent British subjects from going to, or residing in countries not in amity with Great Britain. He then made a motion to that effect, which was agreed to.

Mr. *Alderman Lushington* presented a petition against the Slave Carrying Bill.

The second reading of the bill for the better improving of the Port of London was postponed till Thursday next.

Mr. *W. Boote* moved, that the report of the Committee appointed to examine into the treatment of prisoners of war in this country, be taken into consideration on Thursday.

Mr. *Huskisson* moved for leave to bring in a bill for raising a corps of miners in Cornwall and Devon, to serve during the present war.

Sir *John Sinclair* rose to express a wish that some day might be appointed for the third reading of the Land Tax Redemption Bill. Many gentlemen were still desirous of making further observations upon it, and of suggesting several amendments; of which, in his opinion, it still stood greatly in need.

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The *Chancellor of the Exchequer* said, that as the order of the day for the third reading of that bill had dropt by, there being no House the preceding day, it was his wish to name the first open day after the holidays for its further consideration. He did not however persist in pressing that day, if Gentlemen did not think the proposed interval fully sufficient for preparing any observations or suggestions which it might be their intention to bring forward; if, therefore, Wednesday next coincided with the convenience of those Gentlemen, he would move that the bill be read a third time on that day.

After a few words from Mr. *Felliffe*, this motion was agreed to.

MANNING THE NAVY.

The *Chancellor of the Exchequer* rose to move for leave to bring in a bill for the more effectual manning of the Navy, of his intention to bring forward this motion, he had given notice on a former occasion. The object it had in view was precisely the same with that which a similar bill was brought in for, in the year 1779; namely, to suspend for a limited time the protections which various descriptions of persons enjoy, to prevent them from being impressed into the service of the Navy. If the House had felt no hesitation in adopting this measure at that time, in the second year of a war, when Spain and Holland were united, they would surely not hesitate to pronounce the repetition of it still more justifiable under the present alarming circumstances of the country.—The House must likewise be sensible, that if the present situation of the country make it to pass this measure, it must from its nature, be also necessary that it be passed without any delay; it was, therefore, his wish that the bill should this day pass through its different stages, with a suitable pause at each if required, and that it should be sent to the Lords for their concurrence. The bill was passed and read in all its stages in the same manner; but before the bill got into a Committee, the House had continued debating on it till past 12 o'clock, and the debate was adjourned till the following afternoon, when the Bill was passed. He hoped this would be considered as a sufficient precedent for what he was about to propose. After the different acts were read, which granted the abovementioned protections. Mr. Pitt concluded by moving for leave to bring in a bill for the more speedy and effectual manning of his Majesty's Navy.

Mr. *Tierney* said, that however the proposed measure might be good and prudent in itself, the very extraordinary manner in which the right hon. Gentleman called upon the House to adopt it, could not fail of creating great alarm in their minds; such, at least, was the effect which it had upon his. For his
part

part, he had imagined that the augmentation of the Navy was to be provided for in the usual way ; or, that if any very uncommon mode was to be resorted to for the attainment of that object, some intimation of it would have been given to the House. When the precipitancy with which it is required to pass this bill, was also required in the suspension of the *Habeas Corpus Act*, the right hon. Gentleman condescended to adduce some argument to prove its necessity ; but, in the present case, which any plain man can hardly conceive to be different, no reason or argument whatever is attempted to be urged. It is impossible for those who may be in possession of the protections in question, to secrete themselves ; indeed the manner of going about it was altogether so extraordinary and objectionable, that he felt himself under the necessity of giving it his negative. He had heard no arguments that proved its propriety ; he knew of no sudden emergency that urged its necessity ; even if he had, some time ought to have been allowed him to weigh the force of such arguments, and examine the nature of such an emergency, before he proceeded to give three or four votes on a measure of which no notice of any sort had been given ; and of which no idea had ever entered his mind. If the honourable Gentleman persisted in hurrying the bill through the House in the manner proposed, he must give it his decided negative, however reluctantly he opposed any measure that was said to be necessary to the safety of the country. For, from what he had lately seen, he must view all the measures of Ministers as hostile to the liberty of the subject ; and the present measure he regarded with peculiar jealousy, as it went directly to rob them of the few remaining privileges they were still permitted to enjoy.

The *Chancellor of the Exchequer* replied, that if every measure adopted against the designs of France, was to be considered as hostile to the liberty of this country, then indeed his idea of liberty differed very widely from that which seemed to be entertained by the honourable Gentleman. The House would recollect, however that hon. Gentleman might say to the contrary, that he had given notice of the present motion, though he had not judged it prudent then to explain the mode in which it was to be put into execution. Neither could it be fairly supposed that the present measure was to be brought forward as the usual one for augmenting the the Navy. A bill of the nature of the latter was introduced about ten days ago, and at that time he stated to the House, that if they acceded to the proposed augmentation of the Navy, they must adopt some vigorous measure to make that augmentation effectual, as

nothing but a law of a vigorous nature could succeed in making the intended number of seamen complete. When the hon. Gentleman complained of the manner in which the bill was to be hurried through the House, and hinted that it was too frequently resorted to, he saw the suspension of the *Habeas Corpus* Act was lurking in his mind. The hon. Gentleman would have a long notice given of the present motion, and would retard its progress through the House. He acknowledges that were it not passed in a day, those whom it might concern might elude its effect, thus assigning himself the reason for its immediate adoption. But if the measure be necessary, and that a notice of it would enable its effect to be eluded, how can the hon. Gentleman's opposition to it be accounted for, but from a desire to obstruct the defence of the country? [Mr. Tierney called the right hon. Gentleman to order. This language, Sir, said he, is surely not parliamentary, and upon you only, Sir, can I call for protection.]

The *Speaker* observed, that whatever had a tendency to throw suspicion on the sentiments of a Member, if conveyed in language that clearly marked that intention, such language was, without doubt, irregular and unparliamentary; but if it argued no such intention there was no room for censuring it as disorderly; if, therefore, it was the opinion of the House, that such was the fair import of the language used by the right hon. Gentleman, they would judge of it accordingly, but they would first wait to hear the right honourable Gentleman's explanation.

The *Chancellor of the Exchequer* said, that he feared the House must wait a long time, if they waited for his explanation on the present subject. The sense of what he advanced was, that there was no distinction between the two cases in question. That if notice was to be given of the measure under consideration, that notice would only serve to elude its execution, and therefore no man could be justified to himself in opposing the necessary expedition that made the measure effectual; or if he did, he must surely appear to obstruct the measures employed for the defence of the country. He knew very well that it was unparliamentary to state the motives that actuated the opinions of Gentlemen, but it was impossible to go into arguments in favour of a question, without sometimes hinting at the motives that induced an opposition to it. He submitted to the judgment of the House the propriety and necessity of the arguments he had urged, and he would not depart from any thing he had there advanced, by either retracting or explaining them.

Mr.

Mr. *Jelliffe* approved of the measure, but not of the mode in which it was introduced.

Leave was given to bring in the bill, and it was brought in accordingly. On the motion for its being read a second time.

Mr. *Nicholls* observed that the only reason assigned for adopting the measure was, that a similar one had been brought in and passed in a similar manner before. Those whom the bill affected had dearly purchased their protections, and were their rights now to be confiscated merely because it had been done before? If the existence of a war was a sufficient reason for such a measure, then these privileges were worth nothing; they might be invaded at any time. We had now a much more powerful Navy than in 1779; the measure was therefore far less justifiable than before. He could not bring himself to consent to passing the bill with such rapidity; it was a measure of great severity, not to make use of a stronger term, and ought, therefore, to be partially and maturely considered.—There would be no longer any security for our rights, if a bill might be thus suddenly introduced, and as suddenly passed to abolish them.

Mr. Alderman *Lushington* said that, as a member of the Corporation of London, he would never agree to the present bill, unless he believed there was some strong emergency to justify it. The rights, moreover they were about to resign, were only relinquished during a moment of difficulty; and he would ask the hon. and learned Gentleman, if precedents were to be looked for when danger called for an adequate vigour to repel it.

Mr. *Curwen* was willing to take it for granted; that the present measure was necessary, though in general he placed no confidence in the present administration, it was his wish that every means should be employed that could enable us to get out of the war; in this wish every fair and candid man would join, and it was highly improper in the right hon. Gentleman to create a division of sentiments, by the warmth and asperity of his language.

On the motion that the bill be read second time, it was opposed by

Mr. *Hobhouse*, who said that, though he was ready to approve of the augmentation of the navy, he could not but reprobate the mode proposed, as a gross violation of our rights, which no precedent could justify; after passing a law by which no ship was to be permitted to sail without a convoy, were they now about to pass another, by which no ship would be permitted to have sailors!

The *Chancellor of the Exchequer* said, he could not but observe, that the rights that were now to be suspended were totally distinct from the general rights of the subject. There was no question of suspending certain exemptions that had been granted by different acts of Parliament; but did not the prerogative of the Crown extend even to ordinary cases? The present however, surely, was more than an ordinary emergency, and justified, if any occasion could, the taking away certain privileges. Parliament had already assented to measures of a similar necessity with one sentiment and one voice, with the exception of a very few persons, who could not be supposed much to derange that general harmony. No one could say that the energy of the present measure did not depend on the rapidity with which it must pass, and he trusted the House would follow up the determination they had expressed.

Sir *A. W. Ridley* hoped some exception would be made in favour of the Coal Trade, but the Speaker observed, that this point would be better discussed in the Committee.

Mr *Wigley* contended, that the manner proposed for carrying the bill thus suddenly through the House, could not be supported by the Journals; and complained of the disrespect with which the Chancellor of the Exchequer had treated the House, by refusing to give any explanation of language which was thought disorderly.—He would give his negative to the second reading.

The *Chancellor of the Exchequer* said, he would give no explanation, but desired to abide by the reason he had already given, which, in his mind fully justified the measure.

General *Tarleton* would not vote against the measure, though he disapproved of it; it would obstruct the sailing of a great number of West India ships, and do considerable injury to the trade in general.

The *Solicitor General* defended the necessity of the measure, with the discretion and responsibility of the measure. But he wished that one description of persons should be exempted, he meant the inhabitants of the coasts, who were mostly seamen, and who had already come forward in various ways for the protection of the country.

The *Chancellor of the Exchequer* said, that the present bill would not alter the situation of the class of people alluded to.

Sir *Francis Baring* observed, that from the statement of the Chancellor of the Exchequer it appeared that 6000 of the intended number of seamen were already provided. He hoped that those seamen would not be affected who had voluntarily enrolled themselves for particular services.

The

The *Chancellor of the Exchequer* said, that nothing in the bill applied to them.

The bill was then read a second time.

The bill being in a Committee, the blanks were filled up; the duration of the bill is to be only for one month, as far as it suspends protections in the Coal trade, and five months in other cases.

The *Chancellor of the Exchequer* proposed that the commencement of the operation of the bill should be from the 24th of May instant.

Mr. *Wigley* objected to that date; he thought it a dangerous thing in itself as well as dangerous in precedent to make such a law as that to operate in an *ex post facto* manner. Suppose any person having protection as the law stood, (which by the way was paid for at the Admiralty, he having himself paid for some for his friends) should have been impressed this day, and that in the scuffle he had killed the person taking him; that which the law would have deemed only manslaughter before this act, would now be deemed murder after the passing of the bill.

The *Chancellor of the Exchequer* said, that this case could not happen, because at present no warrants could have been executed, for none had been issued, nor did Executive Government intend to issue any until the present bill had at least received the sanction of two branches of the Legislature.

Mr. *Wigley* then proposed an amendment, that the operation of the bill should commence on the 27th instead of the 24th of the present month.

The motion was put and negatived for the 27th, and carried for the 24th instant.

The bill then went through all its stages, and was ordered to be carried to the Lords.

In a few minutes a message from the Lords informed the House that their Lordships had agreed to the above bill.

The Tanner's bill was read a third time and passed.

Mr. *Ryder* moved for leave to bring in a bill to prevent the exportation of base coin to any of his Majesty's Colonies in America.

Leave given to move it in a Committee of the whole House the next day, being an article of trade.

The Trade Protection bill was read a second time, and committed for that day se'nnight.

The Yeomanry Cavalry bill was brought up and read a first time.

The other orders of the day being disposed of,

The

The Ship Owners bill was read a third time and passed, with several amendments.—Adjourned.

HOUSE OF LORDS.

SATURDAY, May 26.

The royal assent was given by commission to the bill for altering the qualification of the Commissioners of the Land Tax; the bill for appropriating 200,000*l.* a year for the reduction of the National Debt; the bill for the more speedy and effectual manning his Majesty's Navy, and to sundry other public and private acts, to the amount in all of 44.

Read several bills, and adjourned.

HOUSE OF COMMONS.

SATURDAY, May 26.

The *Speaker* having reported that he had been in the House of Peers to hear the royal assent given to several public bills; the House proceeded upon private business, of which there was a great deal on the book.

The amendments made by the Lords in the Militia Officers Pay bill were ordered to be taken into consideration on Wednesday next, as were also several other amendments in other bills.

The Lottery bill was brought up by Mr. Long—Read a first time, and ordered to be read a second time on Wednesday.

The bill for the pay and cloathing of the Militia was ordered to be read a third time on Thursday next.

The bill for authorizing the balloting of the Yeomanry Cavalry, or such of them as may be desirous of assembling for the purpose of being trained together, was read a third time, and passed.

The House, in a Committee, went through the bill for reviving the late acts of Parliament for restraining the coining of silver, and for other purposes upon the same subject; and the report was ordered to be received on Wednesday.

A message from the Lords informed the House that their Lordships had agreed to a great number of private bills.

Adjourned to Wednesday next.

HOUSE

HOUSE OF COMMONS.

WEDNESDAY, May 30.

The Bread Affize Bill, the Coal admeasurement Bill, and widening the avenue to the city of London at Temple Bar, and making a more commodious passage in Snow-hill, were read a third time and passed.

Mr. *Wilberforce Bird* moved, that leave be given to bring in a bill for empowering Magistrates and Justices of the Peace to settle an additional affize on bread, and to make a certain allowance to bakers throughout the whole of the kingdom, on account of the new tax upon salt.—Leave granted.

Colonel Gascoigne presented several petitions against the Slave Carrying Bill.

Mr. *William Dundas* moved for leave to bring in a bill for encouraging the improvement of lands subject to servitude, called Thirlage, in that part of Great Britain called Scotland.

Mr. *Huskisson* brought up the bill for raising a corps of miners in the counties of Cornwall and Devon, during the war. Read a first time, and ordered to be read a second time next day.

THE LATE DUEL.

Mr. *Wilberforce* gave notice, that early in the ensuing week, perhaps on Tuesday next, he would submit a motion to the House relative to a recent event, which has since been a very general object of conversation.

Mr. *Tierney* begged the hon. Gentleman would have the goodness to hint at the outline and nature of his motion, as it might, perhaps, be of a tendency which would make it improper, or indecorous in him (Mr. Tierney) to be present when the motion, of which the hon. Gentleman had just given notice should come under debate.

Mr. *Wilberforce* said, that the subject to which he was anxious of calling the attention of the House, was one upon which he felt no inconsiderable degree of solicitude, it referred to the transaction which had taken place on Sunday last. With regard to the opinion which he himself entertained of it, and was disposed to express, he could very easily make up his mind, but as he had not as yet had occasion of consulting the opinion of other Members of Parliament upon it, he did not as yet feel himself enabled to state precisely in what shape or manner he should bring his motion before the House. As far, however, as his own opinion at present permitted him to pronounce, he did not see that there would be any impropriety in the attendance

ance of the hon. Gentleman (Mr. Tierney) ; on the contrary, he thought it would be highly proper in him to attend his duty in the House on the occasion alluded to.

HATS.

Mr. *Ross* moved that the House do the next day resolve itself into a Committee of the whole House, to consider of the present duties upon hats. Ordered.

Mr. *Abbott* informed the House, that the Cursitors Prothonotaries, &c. &c. who had betrayed some reluctance in rendering an account of their fees, salaries, &c. had since the subject had been brought before the House, delivered into the Secret Committee of Finance, an account of the above as required. He therefore moved, that the order for taking the Report of the Committee on that subject into consideration might be discharged.

The House went into a Committee on the petition of David Cleghorne, brewer, at Edinburgh ; and the report was ordered to be received the next day.

Lord *Belgrave* gave notice, that he would early in next session renew his motion respecting the treating act.

LAND TAX REDEMPTION BILL.

The *Solicitor General* then moved the order of the day for the third reading of the Land Tax Redemption Bill. On the motion that it be now read a second time,

Lord *Sheffield* rose, and said, that he every day saw additional reasons for continuing his opposition to the bill. It had now gone through a third and fourth edition ; the clauses as they now stood were wholly different from what they first appeared to be ; and the various alterations they had undergone, and the many new additional clauses that had been introduced, had never been submitted to a mature discussion. He was sorry to observe that the right hon. Gentleman who had so confidently brought forward the measure was not now present. His behaviour in this respect testified no great respect for the House. Indeed those who framed the bill did not seem to understand the nature of the measure they had proposed ; and this obviously appeared from the manner in which they had hitherto conducted it. Convinced as he was that the whole of the business was but little understood, either on the side of those who proposed it, or on the side of those whom it must affect ; it was his opinion that all further discussion upon it should be deferred till next session. Then the country would have time to consider in what light they should move the question ;—and the
monied

monied interest would also have leisure to reflect on the injury or prejudice they might raise against the landed interest. Upon this ground he would now move "that the third reading of the bill should be deferred till that day three months."

Mr. *Jolliffe* oppose the bill as fraudulent, unconstitutional, and unjust; and said, he was ready to give his most hearty support to the amendment proposed by the noble Lord.

Sir *Richard Carr Glynn* said, he had examined the bill over and over again, and was surprised at the opposition it met with from some quarters. He was sure it was a measure beneficial to the country at large, and ought not to be opposed upon motives of private economy, especially at this time, when every exertion that could be made was absolutely necessary. The depressed state of the funds required some remedy, and for that reason Ministers, ever watchful, had brought forward the measure of the Assessed Taxes; to the same grand object this bill was to be applied, and yet both the measures he had stated met with violent opposition. It was perfectly notorious the last loan must have been made at the price of 45l. for the 3 per Cents. if this measure had not been in contemplation; but the bare knowledge of its being in discussion, procured better terms by 3 per Cent. which was an important gain for the country. If this had happened only during the discussion of the bill, who could say what it would not effect in its operation?

Mr. *Rafleigh* objected to the clauses allowing guardians and trustees to sell the freehold to purchase the land tax.

Mr. *Johnes* was of opinion, that there was much danger in precipitating through the House a measure, which, like the present, involved such various and complex interests. By perpetuating the land tax, the House was consenting to keep up a perpetual and standing army. He hoped, therefore, that the landed gentlemen would not content themselves with giving a silent vote on the question, but that they would concur with him in advising Ministers not now to press the third reading of the bill.

Mr. *Ch. Sh. Lefevre* past over in review the various objections that had been made to the bill—they had no weight on his mind when compared with the advantages which must evidently result from its adoption. If the landed interest were prepared to make any sacrifice in relief of the exigencies of the state, was there any moment more urgent than the present for making this sacrifice? We had made many professions of zeal and willingness to repel and baffle the attempts of the enemy; but words would avail but little, unless our professions were followed up by correspondent actions. The price of land was

now as high as in periods of the most profound peace; and he saw no grounds of apprehension, that hereafter a new land-tax would be raised on the footing of an equal assessment. He would, therefore, oppose the amendment of the noble Lord.

Mr. *Martin* opposed the bill as unconstitutional; but should it be proved to him that it had no such tendency, the necessities of the times would induce him to give it his concurrence.

Mr. *Biddulph* reprobated the bill, as highly unconstitutional in its principle, and atrociously fraudulent in its operation.

Mr. *Pierrepont* said, he felt himself bound in conscience to enter his protest against the present measure; he was well convinced that it was not the intention of Ministers to vex and oppress any particular classes of the people; but the present measure, if put into execution, would grievously affect the small land-holders. He by no means wished to exonerate the land, but he thought it would be a fairer way to annul the present land-tax, and to propose six or seven shillings in the pound, if necessary, to answer the present exigencies. He would therefore support the amendment; and if he found that after due and mature consideration of the measure, the country was inclined to adopt it, he should then give it his most warm support.

Mr. *Wigley* enumerated a number of alterations in the bill, and thought more time ought to be allowed for the consideration of them. He urged the motion for the delay, as well as objected to the principle of the bill. It was unconstitutional to admit those to be Commissioners of the land-tax, who held seats in that House, as it would become an additional object of patronage and influence to the Minister. The bill also went to render that tax perpetual which was now voted annually, and held a check upon the Minister, and if not sold, as was a matter of uncertainty, this measure could not be productive of any advantage.

The *Solicitor General* defended the bill, and argued for the third reading of it. To postpone it, could have no other effect than to defeat the measure entirely; and he thought it would be fairer, if that was the object of any Gentleman, freely to avow it. The policy of the measure had been repeatedly discussed, and ably defended; it had been generally acknowledged, and a disposition manifested in the country to adopt it. He denied that the effect of this measure was to remove any constitutional check on the disposition of the annual revenue arising from the land tax, because there was a provision in the bill to secure another fund to the same purpose; this equivalent revenue would be equally liable to an annual vote of Parliament,

ment, and was designed to give the same constitutional check. He denied that the appointment of Commissioners was an object of patronage, or that it ought to disqualify Members from sitting in that House; he thought that the proper execution of the act should be vested in the most respectable, and best informed persons, as were the Members of that House: and to delay the measure would prove a great inconvenience to many Gentlemen who had already made provision to make the purchase. With regard to the idea which had been suggested, of making an equal charge upon all property, he considered it to be perfectly chimerical; but an equal charge upon income, he thought might be practicable, and was what he hoped to see done.

Mr. Johnes explained.

Mr. Denison complained that the bill would have an injurious tendency with respect to Gentlemen of landed property, who would be kept under the hatches during its operation. Add to which, that after March 1799, those who had not been able to redeem their land-tax, would be exposed to the public eye, which he considered a great hardship. He foresaw that a fresh land tax was intended to be the result of this measure: it would surely have been better to have imposed one shilling in the pound to the existing land tax. No men of landed property who are not also monied men, would be able to redeem their tax; it would also cause a large capital of the country to be locked up. On all these accounts he wished the measure to be postponed, to give the country further time to approve or disapprove of it.

Sir Francis Burdett disapproved of the bill, and called on the House to look at the prospect of public affairs before they adopted such a measure as this, which went to alter the condition of the whole landed property of the kingdom; it was, as far as it went, a confiscation of landed property. Before the House proceeded on such a measure as this, they should reflect on the nature of the taxes which were chargeable on land already. It was already subject to that pernicious tax, the tythe to the church; also to that heavy impost, the poor rate, to the duties on horses used in agriculture, to the expence of the yeomanry cavalry; all of which fell immediately upon land, although the land-owner bore his share of all the other burthens. He wished therefore the House would reflect upon the probable effect of such a measure as this, before it proceeded any further. He knew that money must be raised; but there were much better resources for raising it than this bill provided. A large supply might be had by the sale of the Crown lands, and even the revenue of the crown might be improved by such a measure. There was another object which presented itself to our view, especially as this was a war in support of religion, and that was the revenue of the church.

it was highly objectionable, for did it not add any thing to the influence of the crown to have the collection or distribution of such a sum as 250,000*l.* pass through the hands of members of Parliament.

This led him to speak of the substitution that was proposed for the check which Parliament had in retaining the Land Tax within its own hands, by only voting it annually. Landed property was the qualification necessary for a member of Parliament, and it added to the dignity of that House to have it known and felt, that in voting the Land Tax, they were voting what was *their own* exclusively of the other kind of property diffused over the country.—He was of opinion that an amicable emulation might properly subsist between the landed and the commercial interests; but as the greatest pressure was already on the land, it was unjust to make that pressure perpetual. In opening this subject, the Minister said, that no one could expect the Land Tax would be repealed.—He, on the contrary, looked upon the repeal of it always as a very probable event. A tax upon land he held to be the very worst mode of taxation, and when he was Secretary to the Treasury, he was preparing a plan for reducing the land tax one shilling in the pound. This was a circumstance well known to the noble Duke who then presided at the head of the Treasury. Let us then observe the reductions now every where making in consequence of the new assessments, and then consider whether land can bear any additional burthens. If a new Land Tax should, however, be proposed, he was of opinion that it should not be an *equal land tax*, but a tax on the proportionate rate of income which men might possess. Would it be contended that a tax of four shillings in the pound was not more severely felt by the valuable class of gentlemen, possessing from 1000*l.* to 1,500*l.* a year, than by the rich land owner who might have 20,000*l.* or 30,000*l.*? From the latter you take nothing but what his fortune enables him to spare; the former you deprive of his most essential comforts, and that respect in the eyes of his inferiors, on the preservation of which depends the harmony of society. It would be cruel to place the respectable gentleman of small fortune in a state of balancing between different deprivations for himself and his family.—Whether he should retain his coach to visit and go to church in on Sunday? or whether he should restrain himself from giving his children a liberal education, and placing them in respectable and honourable situations? The House must feel that persons of the description he alluded to were under very

great difficulties already; but to shew the House the disadvantages of landed compared with other property, he would read to them a calculation, which, however strong it might appear, was nevertheless accurate. He would suppose three persons possessed each of 500*l.* which the one invests in the purchase of land, the second in the funds, and the third in mortgages. The income of the landed man would be 180*l.* out of which, when he paid his land tax, cart tax, house, servants, horses, and other assessed taxes, amounting to 136*l.* his real income would be no more than 44*l.* The man of funded property, for his 500*l.* would have an annual income of 300*l.* and though he lived in as good a house as the landed man, his taxes being only 66*l.* a year, his real income would be 234*l.* a year. He whose property lay in mortgages, would also have a considerable advantage over the landed man. Upon all those grounds he was for the amendment, and deferring the third reading for three months.

Lord *Hawkebury* asserted if the measure upon full discussion was thought to be advisable, it was advisable to press it immediately---if any objections to the principle could have been made, they ought to have been made at a former stage of the bill. The hon. Gentleman had argued that the introduction of so many new clauses should furnish ground for delay. Undoubtedly in every measure of magnitude like the present, new clauses must be introduced; but did the hon. Gentleman mean to contend that these new clauses had introduced any new principle---if not, the arguments of the hon. Gentleman must be groundless. These clauses in fact contained no new principle, they were merely clauses in the detail to carry the provisions of the bill into effect. There could be no ground for further delay, the bill had been printed last week, and on the day fixed for the third reading, gentlemen wishing to discuss the bill were told by his right hon. Friend not then present (Mr. Pitt) that further time would be given. In short there never was a measure which had had a more ample or a more full discussion allowed; and from this he was warranted, in inferring that it was a measure which had met with the sanction and approbation of the country at large. With respect to the constitutional part of the question, and the assertion of the hon. Gentleman, that the Land Tax was the constitutional security of the country; when the circumstances of the country would admit of its repeal, what then, according to the arguments of the hon. Gentleman, would become of the constitutional security?

LCR-2.

security? The constitutional security, he contended, would remain the same then as at the present moment, and there would be the same security to the public creditor. He denied that land was taxed in any greater degree than any other object—it was not true that all taxes fell upon land exclusively; land was no more taxed in proportion to other property, than as other property became a part of expenditure. As the bill would be productive of much good and no possible harm; as the clauses introduced were merely to carry into effect the original principle; as this principle had been in agitation ever since the 2d of April, and the opinion of the country was not against it, he could see no solid arguments that could be urged against its being carried into immediate effect.

Mr. Tolfiffe explained.

Mr. Nichols opposed the general tenor of the bill, and approved the motion of amendment for the proposed delay.

Mr. *Dickenson* approved of the bill, and disapproved of the proposed delay of passing it.

The House divided.

(For the Amendment to postpone the third reading to this day
three months.)

Ayes	-	-	-	-	-	33
Noes	-	-	-	-	-	135

Majority - - - 102

The bill was read a third time.

Mr. *Sheridan* then proposed a clause, the substance of which was, to empower the Legislature to repeal the bill, if necessary, without a breach of public faith, which he contended could not be done as the bill now stood.

A short debate ensued. Mr. Ryder and Mr. J. H. Brown opposed the clause, and Mr. Sheridan supported it. The House divided.

<i>Ayes</i> (For bringing up the clause)	18
<i>Noes</i>	116

Majority - 108

Several other clauses were proposed, upon which the House divided; and the further discussion on the bill was deferred to the next day.

The other orders of the day were then postponed, and the House adjourned at eleven o'clock.

THE HOUSE OF LORDS.

THURSDAY, *May 31.*

The *Marquis of Carnarvon* (as *Baron Conyers*) took the Oaths and his Seat.

The Lancaster Sessions Bill was read a second time.

A number of petitions relative thereto, some in favour of, and others against the bill, were presented by the Earl of Derby, which were ordered to be laid before the Select Committee, to whom the bill is referred.

The Committee of Privileges, which was to have sat this day for the further consideration of the Belhaven Peerage Claim, was postponed till Tuesday next.

The several bills before the House were forwarded in their respective stages; among these was the Committee of the Sheep Pasturing Bill, which stood committed. Accordingly the House resolved itself into a Committee thereon, and Lord Walsingham having taken the chair,

The Duke of Norfolk objected to the bill, first, upon the general grounds, as considering that though its effects might be calculated for some situations in the country, yet in others it would operate injuriously, and in some districts it was unnecessary. The measure was an important one, and very questionable; and in this view, he submitted it to their Lordships, whether it would not be better to let the bill lie over until the next Sessions, when they could be better informed upon the subject, and know better how to remedy the evils which the bill affected to remove. However, should the Committee think differently, and their Lordships determine to proceed with the bill, he would endeavour to mend one of the clauses in particular, which he thought highly objectionable; he alluded to that provision which went to empower any man to lay informations before a magistrate, that any particular flock or flocks of sheep contained among them some infected ones; and the person so informing, was authorized to receive a warrant from the magistrates for seizing and separating them from the rest, in order to impound them, previous to which last proceeding only, he was to give to the owner of the flock six hours notice. He thought such a provision would operate as a peculiar hardship upon the sheep-owners, and imagined that the notice should be given to the owners, six hours before the informer began his process of separating and driving the infected sheep.

Lord de Dunstonsville observed, that such an alteration would entirely do away the effect of the most efficient clause in the whole bill. Were the notice to be given previously to the owners, he would ask, what would prevent the owners from taking away the infected sheep themselves, for a day, or some short space of time, and then returning them again into the body of the flock? His Lordship then defended the bill generally, and said, that regulations of the kind were much

wanted. He instanced several parts of the country, where a considerable mortality prevailed among the flocks in consequence of the precautions enforced by the bill not being taken, and where the wool had been materially damaged, in some cases, though the life of the animal was preserved. He was of opinion, that the bill ought to pass this Session; but had no objection to a delay in its progress for a few days, in order that any point which, on mature deliberation, may be found really objectionable, should be amended.

After some explanatory conversation between the noble Duke and his Lordship, the Chairman was directed to report progress, and ask leave to sit again; and, the House resuming, the Committee was ordered to sit again on Wednesday next.

ARTHUR O'CONNOR.

Lord Holland rose in consequence of the notice he had given some days since, that it was his intention to move for a bill to extend the benefit of the *Habeas Corpus* Act to Arthur O'Connor, Esq. who had been acquitted on an indictment for High Treason at Maidstone. The temper in which the House was, when he stated his intention; rendered it improper for him then to fulfil his purpose, but nothing that he had heard in argument that night, nor any thing that he had found upon further enquiry without doors, led him in the smallest degree to alter his opinion on the subject, but as Mr. O'Connor had been sent out of the kingdom, such a bill, as he meant to move for, could be of no avail to that gentleman, and therefore he rose to state to their Lordships the reason for his declining to move the bill in question. Another reason for his declining to do so, was this: he understood Mr. O'Connor, stood in a situation likely to render him the subject of a criminal prosecution and trial in a Court of Justice in Ireland, and therefore, he conceived the further agitation of what had passed at Maidstone, at present might be of disadvantage to that Gentleman, considering the delicate circumstances in which he was placed.

The second reading of Sir Hyde Parker's Divorce Bill, on which the House was summoned, was deferred till Thursday June 7.

In the course of the evening, a considerable number of bills were presented by different Gentlemen from the House of Commons; they were mostly private; or bills returned with amendments. The Armorial Bearings Duty Bill was presented by Mr. Hobart, and read a first time; as were the several other bills above alluded to.

At six o'clock the House adjourned till the next day.

HOUSE

HOUSE OF COMMONS.

THURSDAY, May 31.

The Order of the Day upon the Newspaper Bill was deferred to Tuesday next, on the motion of the Attorney General.

The *Attorney General* then, pursuant to notice, moved for leave to bring in a bill for preventing his Majesty's subjects from voluntarily repairing to or residing in France, or other countries in hostility with his Majesty, and for preventing traitorous correspondence with his Majesty's enemies. He said he did not think it necessary to state to the House the former acts upon this subject; in the reign of King William and Queen Anne, and also in the reign of George the Second. By an act of the 34th of his present Majesty, repairing to France was a misdemeanor punishable with six months imprisonment; but being in, and voluntarily residing in France, was not punishable by any Act that he knew of. The circumstances of the country were such, that he trusted the House would see the necessity of such a measure as this. Should they allow him to bring in the bill, he should propose reading it for a first time to-day with a view of having it printed, and read a second time on Wednesday. Leave being given, the bill was brought in immediately; read a first time, and ordered to be read a second time on Wednesday next, and to be printed.

Mr. *St John* gave notice, that he should on Wednesday next bring forward a motion respecting Mr. Arthur O'Connor.

The bill for making a certain allowance to bakers, on account of the new duty on salt, was read a second time, and ordered to be committed to a Committee of the whole House the next day.

The further consideration of the report respecting the treatment of prisoners of war, was deferred to that day to-morrow.

The House then proceeding on the Order of the Day, on the Land Tax Bill, the *Solicitor General* proposed a clause, purporting that where any additional Land-tax should be charged, that the proprietors of such land shall be empowered to deduct what they may have paid to the former land-tax, and that any additional land-tax should attach upon the improved value of the land.

Mr. *Buxton* opposed the clause, because it seemed to favour of an additional land-tax, a measure which he hoped would never be permitted to take place.

The House then divided,

<i>Ayes</i> (For the clause)	- - - - -	40
<i>Noes</i>	- - - - -	43

Majority - - - 3

Several Amendments were then made in the body of the bill.

On the question for rejecting the clause in the bill, to exempt the improved value of any estate from any future land-tax, the House again divided,

<i>Noes</i> (For rejecting the clause)	-	-	32
<i>Ayes</i>	-	-	47

<i>Majority</i>	-	-	15
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at last, the question being put for passing the the bill.

<i>Ayes</i> (For the motion)	-	-	-	66
<i>Noes</i>	-	-	-	13

<i>Majority</i>	-	-	53
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The bill was the passed and ordered to be carried to the Lords.

The bill for raising a corps of Miners, &c. was read a second time.

Mr. *Rose* brought up a bill for the regulation of the provisional force of cavalry. Read a first time, and ordered to be read a second time the next day.

The bill for preventing the exportation of base coin, was read a second time, and ordered to be committed to a Committee of the whole House the next day.

HAT DUTY

The House having resolved itself into a Committee of the whole House, to consider of the duty payable on hats,

Mr. *Rose* said, he should propose to extend this duty to all hats or caps, of whatever materials they should be made, with certain specified exemptions. This regulation became necessary in consequence of the duty having been so much evaded by hats and caps being made of leather and other materials, by which hatters were considerably injured, and the revenue defrauded. He therefore moved a resolution, that the rates and duties now payable on hats, shall be levied on all hats, caps, and bonnets, of whatever materials the same are made, except cotton or linen, and chip and straw hats or bonnets worn by females. Passed. Reports ordered to be received the next day.

The bill for indemnifying Governors, Lieutenant Governors, and persons acting as such in the West-India islands, who have permitted the importation or exportation of goods and commodities in foreign bottoms, was read a third time, and passed.

The House proceeded to take the report of the Slave Carrying

ing bill into further consideration. Sir W. Dolben moved that the report be re-committed.

This motion gave rise to a long conversation between Sir *William Dolben*, Mr. *Wilberforce*, Mr. *William Smith*, and Mr. *Ryder*, who supported the recommitment; and Mr. *Sewell*, Colonel *Gascoigne*, General *Tarleton*, and Mr. *Dent*, who opposed it. The recommitment was however carried without a division. Adjourned.

HOUSE OF LORDS.

FRIDAY, June 1.

The Royal assent was given by Commission to four public bills, and eight private bills.

The Commissioners were the *Lord Chancellor*, the *Duke of Portland*, and the *Earl of Chesterfield*.

The *Solicitor General* brought up the Land Tax Bill; read a first time, and ordered to be read a second time on Tuesday. Adjourned.

HOUSE OF COMMONS.

FRIDAY, June 1.

The Edinburgh Ale and Beer Bill passed a Committee of the whole House, and the report was ordered to be received on Tuesday next.

The Bill for making an allowance in certain cases to Subaltern Officers in time of peace was read a second time, and ordered to a Committee of the whole House on Tuesday.

Mr. *Rose* moved, that there be laid before the House an account of the amount of the salaries and emoluments of the Commissioners of Salt in England and Scotland, and of Officers employed under them. Ordered.

MISDEMEANOR COST BILL.

Mr. *Percival* moved the Order of the Day, on the bill for allowing costs in cases of misdemeanor, to be paid out of county rates; which was, that the bill be read a third time.

Mr. *Mainwaring* opposed the principle of the bill, and moved an amendment; that instead of the word "now," "this day three months" be substituted.

A short debate took place, and the House divided.

<i>Ayes</i> (For the amendment)	-	-	-	-	12
<i>Noes</i>	-	-	-	-	25

Majority - - - 13

Mr.

Mr. *Maimwaring* then proposed to amend the bill by leaving out the words "riot, rout, or unlawful assembly."

Mr. *Ryder*, Mr. *Buxton*, Mr. *J. H. Brown*, Mr. *Vanfurst*, and Mr. *Bragge*, opposed the amendment, which was negatived.

Mr. *Burton* proposed an amendment, which had for its object to include the cases of escape, or attempts to escape, of prisoners in legal custody; this amendment was adopted.

After which the bill was read a third time and passed.

Mr. *Alderman Lushington* moved that the Order of the Day for the second reading of the Port of London Improvement Bill be discharged, and that it be read a second time on Tuesday next.

PROTECTION OF TRADE.

Mr. *Rose* observed, that if the House should agree to go into a Committee on the Exports and Imports Bill, he would merely propose some amendments and the filling up of the clauses, and then move for the printing of it, that Gentlemen might thus be afforded time to consider of it with that coolness and gravity which so important a measure demanded.

The House went into a Committee on this bill, Mr. *Serjeant* in the Chair.

A conversation took place between Messrs *Hobhouse*, *Ryder*, *Rose* and *Stowell*, relative to the sailing of convoy.

Mr. *Rose* proposed an amendment, that nothing contained in the bill should extend to vessels sailing coastways or to Ireland, which being adopted, the Committee went through the bill; and the report being received, it was ordered to be recommitted on Wednesday next.

The Militia Pay Bill was committed.

The report on the Salt Duty Bill was received, and a bill ordered to be brought in pursuant to the resolutions.

On the Motion of Mr. *Henry Thornton* the further consideration of the Slave-restraining Bill was deferred till Thursday.

The bill for prohibiting the Exportation of base Coin, &c. to the West Indies, &c. was read a first and second time, and ordered to be committed on Tuesday next.

The Sugar Draw-back Bill was read a third time, and passed.

The Committees of Supply and of Ways and Means were deferred till Wednesday next.

The other Orders of the Day were then disposed of, and the House adjourned till Tuesday.

LORDS

HOUSE OF LORDS.

TUESDAY, *June 5.*

PEERAGE OF BELHAVEN AND STEINTON.

The House resolved itself into a Committee of Privileges, Lord Wallingham in the chair.

The *Duke of Leeds* moved a resolution, relative to an entry on the Journals respecting Baron Conyers's taking his seat, which ascertained his son's precedency; it was acquiesced in by the Committee.

Their Lordships resumed the consideration of the claim of William Hamilton, of Wisham, Esq. the Peerage of Belhaven and Steinton.

The *Attorney General*, on the part of the Crown, submitted to the Committee the propriety of granting further time to search for, and prepare evidence against what had been advanced on the part of the Claimant, particularly in what respected the *Return* of 1758. Some further time, he observed, would be necessary for the inspection of certain Family Records, to investigate the authenticity of part of the Claimant's evidence, and to enable the Lord Advocate of Scotland to submit certain considerations to their Lordships upon the subject. On these grounds, he deemed it his duty to submit to the Committee, whether it would not be expedient to postpone the further consideration of the business until the next Session? In this view, he could not help observing, that the Claimant had come forward on this occasion so long ago as the year 1795, and it was not until the present year that he could discover, or disclose to their Lordships, what he deemed most essential to his cause. The interval which passed since the last sitting of the Committee, had proved to be insufficient to enable those who held the claim to be unfounded, to meet the facts adduced in favour thereof by good and sufficient evidence, and which they did not despair of obtaining against the period he alluded to.

Mr. *Adam* said a few words in behalf of the evidence adduced for the Claimant, and thought that the period at first required by the Law Officers of the Crown was amply sufficient to procure the evidence they wished for, if such existed.

The *Attorney General* replied, it would rather be unreasonable to allow those on one side of the question only a fortnight, to obtain that for which the other side were allowed three years.

After the counsel had withdrawn,

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The *Bishop of Rochester* said, he had hitherto abstained from saying one word on the subject in the full hope and confidence, that it would not have been taken further notice of, but that the bill would have been suffered to sink into everlasting rest. He did not mean to oppose its going into a Committee, because he trusted it would come out of the Committee, a very different thing from what it was at present. The bill apparently was an unobjectionable one, but when fully examined, and the bearings of it were duly seen and considered, it would be found to contain more mischief, than their Lordships might have imagined. The bill professed to embrace two objects, viz. to enforce the personal attendance of the clerks in the respective public offices, the other to abolish the number of holidays in those offices. With regard to the first of these objects he could see no objection, though he should have imagined that a legislative provision would not have been necessary, but that the superiors in each office were of course invested with sufficient authority to enforce the due attendance of the clerks and oblige them to continue a diligent discharge of their duty. If, however, the superiors had no such authority, he had no objection to give it them by an act of Parliament. It was to the second object, the abolition of the number of holidays that he objected, as that was by no means so innocent a measure as the framers of the bill might have imagined. These holidays were of three sorts, festivals of the church, holidays of political usage, such as the Martyrdom of Charles the First, the Popish Plot, &c. &c. and holidays kept in compliment to the birth days of the Royal Family. The first, the festivals of the church, were such as those great and good men, and wise and virtuous statesmen, the antient reformers had selected, and were retained under the act of Edward the First. But it was to be observed they were not constituted by that statute; they were of much higher and more antient origin, as old indeed as Christianity itself. The act of Edward the First retained such as the reformers thought it right to reserve, after abolishing a great number of others, that made a part of the superstitious observances of the church of Rome, and which were not consistent with the principles of the reformed religion. There were his Lordship said, fifty-five holidays, or as they were commonly called red letter days in the Calendar, exclusive of the Sundays; twenty-one of these, were religious festivals, and formed a fundamental part of the established ritual of the Church of England, and surely if there

there was any defect in our ecclesiastical establishment, it was the want of forms, and the negligent observance of those existing, which were so necessary to inspire respect and reverence, and which by fixing the imagination of the people on serious objects, tend to regulate their conduct, and induce a decent behaviour and due attention to religious duties. This was not a proper time rashly and wantonly to abolish religious forms; if the country was to be saved, either in its civil institutions or its ecclesiastical establishments, it must be by a strict attention to the forms which the church required as connected with the principles of religion. *Stare super antiquas vias*, was the maxim which ought to regulate our conduct in such a crisis. Of the religious holidays or festivals of the church only three were left untouched, but more respect had been paid by the framers of the bill to holidays of political usage. It was therefore only from a hope and expectation of material alterations in the Committee, some of which he meant to propose, that he refrained from opposing the commitment of the bill.

The Lord Chancellor left the woolsack, and said: he felt himself, as no doubt the House did, highly indebted to the Rev. and learned Prelate, for the very able manner in which he had entered into the object of the bill, explained the nature of the holidays kept generally ever since the passing of the statute of Edward the Sixth, and the light he had thrown upon the history of that statute, which, as the noble and learned Lord had correctly stated, did not institute and originate the church festivals hitherto observed; festivals that were founded on the consent of Christians of every description in all ages, but merely rescued and retained them in use as fit to be duly kept, setting aside and rejecting at the same time, numberless superstitious ceremonies of the Roman Catholic church, no longer necessary to be observed in this country after the Reformation. He owned that the bill had appeared to him in a different point of view, till the noble and learned Prelate did him the favour to communicate his sentiments upon it, and having heard in common with the rest of their Lordships that day, the knowledge that the right Rev. Prelate had displayed on the subject, he must confess, it was evident that the framers of the bill had paid too little attention to it in making so sweeping an abolition of holidays, without having at all considered the different grounds on which the three species of holidays enumerated by the learned Prelate stood, and the nature of their original institution.

The light in which he had regarded the bill as containing matter of objection was, of another kind. He thought it not quite justifiable, any more than it was necessary to coerce by act of Parliament, the constant and daily attendance of all the clerks of every description in public offices, and that for these two obvious reasons: many of them, when they entered into the public service, did so upon the idea that they were only to give up a certain point of their time to the discharge of their respective official duties, and in entertaining that idea; they were warranted and supported by the established usage, which had prevailed uninterruptedly for a considerable number of years; and again, every man must be aware, that certain departments of office from their very nature could only require an attendance on specific times and occasions, when the business of those departments was ready for the dispatch it required at the hands of the officers and clerks employed in them. There was therefore considerable weight and propriety in the observations of the noble and learned Prelate, that the heads of the different offices ought to be vested with authority to compel attendance when necessary, as they must of all others be most competent to judge of that necessity. The bill certainly involved serious and weighty considerations, and as a bill of civil policy, containing some useful regulations, was well entitled to the attention of their Lordships, and ought to go to a Committee, in which the alterations, that might remove all objection, could best be made.

On the question put, the bill was committed for Thursday, to a Committee of the whole House.

Adjourned to the next day.

HOUSE OF COMMONS.

TUESDAY, June 5:

Mr. *Wolbarst* said, that it was now some time since he gave notice of bringing forward a very important motion; since that day he had conversed with several of his friends upon the subject of his intended motion; the result of which was, that whatever his feelings might be, he thought it was not likely that the motion he wished to have brought forward on the subject would meet such a reception in that House, as to render it probable it would be productive of the good he hoped for; and therefore he should not make his intended motion. He wished, however, to do away a misunderstanding that had prevailed

vailed with regard to his intention upon this subject, whether it arose from any inaccuracy in what he said or not. The motion he had thought of submitting was not meant, in any degree, to advert to what had recently passed, but was to have been the foundation of a future regulation. However, it was not necessary for him to say another word on the subject.

NEWSPAPERS.

The *Attorney General* moved the Order of the Day on the Bill for the regulation of Newspapers, &c. which being read, he observed, that in consequence of information he had received on this subject (having been honoured with many suggestions upon it) it was his intention to submit many material alterations in the Committee; he should afterwards (supposing the House agreed to this course) propose that the whole should again be printed, that the House might be informed of the state of the bill.

The *Speaker* said, that the order for the printing might be made after the amendments were disposed of, and there should be an interval between that and the third reading.

The *Attorney General* said, he should propose that the Bill should be further considered the day after the next.

The question was then put, that the *Speaker* do now leave the Chair.

Mr. *Tierney* said, he begged to be understood, that he by no means acceded to this bill, by agreeing to the motion for its going to a Committee; he was not prepared to say whether any part of it was fit to be adopted. Any measure that related to the regulation of the press, required much attention and circumspection. He should wait to see in what state this bill came out of the Committee; as it struck him at present, many of the clauses were so objectionable, that, unless they were struck out, he should conceive it to be his duty to oppose the whole measure upon the report.

The House then resolved itself into a Committee of the whole House upon the bill, the *Solicitor General* in the chair.

Mr. *Addington* (the *Speaker*) asked how many proprietors were to be proposed to be made responsible?

The *Attorney General* said, that this bill did not alter the responsibility of proprietors in any degree, that responsibility would remain precisely as it stood at present by law. Gentlemen had, some how or other, conceived that this bill was to alter the responsibility of Proprietors of Newspapers, and that such was partly his object by bringing it forward. He intended no such thing; he intended to leave the responsibility precisely

cisely as it stood before; the bill, in that respect, was only to regulate the matter, by providing who were the persons who should be answerable in the characters of Proprietors.

Mr. *Addington* (the Speaker) said, he was sure it could not be the wish of the learned Gentleman to push the object of the bill further than was necessary. He conceived, that to insert two proprietors in the bill, would be fully sufficient. The learned Gentleman, he understood, proposed to have three proprietors. He hoped the learned Gentleman would be induced to acquiesce in this suggestion, by letting two stand instead of three.

The *Attorney General* said, he proposed three proprietors. The very respectable person who proposed two, should, however, have his concurrence; subject to this observation, that the extent to which they are proprietors shall secure responsibility. He would add, that he did not wish to press this measure further than to try it as an experiment; he would not try it at all, unless he thought it would not infringe on the liberty of the press.

Mr. *Addington* (the Speaker) said, that to avoid the imputation of unnecessary rigour, and to shew an impartiality, he should propose to diminish the number of proprietors to be inserted in the bill to be from three to two.

The question being put, the word *two* was adopted.

Mr. *Hobhouse* wished to know, whether proprietors were to be made criminally responsible in this bill or not?

The *Attorney General* said, he had totally failed in his purpose, if he had made any proprietor, in any degree, more responsible by this bill, than he was before. Civilly responsible all proprietors are; criminally responsible they may be, or may not be; this was only to ascertain, in fact, who were proprietors.

Mr. *Hobhouse* said, that the better way would be to receive all the clauses to the bill *pro forma*, and for Gentlemen to reserve to themselves the privilege of discussing them all hereafter at full length.

This the Committee adopted; the clauses were then received *pro forma*, and the House was resumed.

It was proposed that the report should be received immediately.

The *Speaker* said, that would not be regular, unless there was an intention of recommitting the bill.

The *Attorney General* said, it was the intention that the report should be reconsidered.

The report was received immediately, and then ordered to be taken

taken into further consideration on Thursday next; and to be printed with the amendments.

The bill for raising a corps of Miners in the counties of Cornwall and Devon, passed a Committee of the whole House; and the report was ordered to be received the next day.

The House resolved itself into a Committee, on the bill for transferring the management of the tax on Salt to the Excise. Several amendments were received, and the report was ordered to be brought up on Friday.

Mr. *Rose* moved for leave to bring in a bill for the better execution of the 38th of George III. cap. 16, respecting the Assessed Taxes. The object of the amendment was to allow further time for the return of the schedules; the time already allowed was found too short, and many schedules had not been returned at all, or returned imperfectly.

Leave granted.

A message from the Lords informed the House, that their Lordships had agreed to the Newfoundland and British Fisheries Encouragement bills.

The Hat, &c. Tax Bill was read a first time, and ordered to be read a second time the next day.

The report on the Slave-carrying bill was brought up; the resolutions agreed to, and the bill ordered to be read a third time on Thursday.

The report on the Base Coinage Prohibition Bill was received, and the bill was ordered to be read a third time the next day.

The Lottery bill was read a third time, and passed.

The Attorney's Certificate Bill was read a third time, and passed.

Mr. *Rose* moved for leave to bring in a bill for allowing Gold Wares to be manufactured at a standard lower than is now allowed by law.

Leave given.

The other Orders of the Day were then deferred, and the House adjourned.

HOUSE OF LORDS.

WEDNESDAY, *June 6.*

LANCASTER SESSIONS BILL.

On the motion that the Lancaster Sessions Bill be read a third time, counsel were called in, in pursuance of an order made in compliance with the prayer of certain petitioners against the bill, when Messrs. Mingay and Chambre, appeared on behalf of the petitioners (the corporation of Lancaster and others)

others) and Messrs. Law, Plumer, and Parke, in support of the Bill.

Mr. Mingay was heard last, and stated a variety of inconveniences, that his clients had instructed him, would result to them as well as the county in general, if Preston was taken as the central town of the county, and that town made the place of holding the Assizes annually, agreeable to the provisions of the bill; he also maintained an elaborate argument on the objectionable nature of several new regulations introduced in it.

Mr. Chambre followed, much at length on similar grounds.

Mr. Law combated the position and reasoning of his learned friends, and contended that the provisions of the bill were wise and salutary, and founded in good policy, expediency, and what might be deemed tantamount to necessity. Mr. Law denied, that any of the inconveniences which had been urged against the bill, as the probable result of its operation, if passed into a law would occur, but on the contrary he was confident, the county in general, and its inhabitants, would derive essential advantages under it.

Mr. Plumer deemed it unnecessary for him to take up the valuable time of the House, by going over the same ground as his learned friend, Mr. Law, who had so fully and forcibly answered, and, in his mind, defeated the arguments of his two learned friends, Mr. Mingay, and Mr. Chambre. Nothing that he could say, could add to the impression which he was persuaded, Mr. Law had made on their Lordships' minds in favour of the bill, and therefore he hoped he should not be supposed to desert the cause of his clients, if he desisted from saying any thing that might possibly weaken the force of what the House had just heard on the subject.

Lord Grey de Wilton moved "that the bill be now read a third time."

On the Lord Chancellor's putting the question

The Earl of Lonsdale rose, and said, he apprehended, that that was the proper time for him to introduce any additional clause, which he thought necessary to be added to the bill. He for one objected to the bill, and thought it would be attended with the inconveniences that had been stated at the bar, and would not be productive of the advantages, that, on the other hand, it had been affirmed would be the probable result of its operation. The bill stated Preston to be the central town of the county, he did not think that it was, but, for the sake of argument, he would take it to be so, and he had a clause in his hand framed with that view, in relation to the residence of the Clerk of the Peace, or his Deputy. His Lordship said that the
office

office of Clerk of the Peace, he understood, was a Patent Office, that it was held at present by Mr. Humphry Stephens, who did not reside in the country, and being an officer, no body could tell where he was to be looked for; if wanted on any occasion, he might be in a distant part of the kingdom; he might be out of it, he might be at Gibraltar, in the East or West Indies, or on any distant service. The present Deputy Clerk of the Peace had never seen his principal but once, and that was not in the county of Lancaster, but in London. The Deputy Clerk of the Peace resided at Leigh, not a post town, and to which place the roads were bad, and the distance was seventy-eight miles from the Northern parts of the county, and twenty-six South of Preston. The object of the clause he meant to add was, therefore, to oblige the Clerk of the Peace, or his Deputy, to reside in future, in, or near Preston, and that he conceived would be for the good of the county in general.

The clause was first read by his Lordship, and then presented and read in form.

Lord *Kenyon* said, he could not sit silent and hear a clause of that nature brought in on a sudden; he rose to express the strongest objection to it. Would that House listen for a single moment to a clause of that nature? A clause to alter the existing law under which patent places were held, to make new conditions in regard to the exercise of the functions of an office of that tenure, and that without a word having been alledged against the present holder of it, and what was still worse, without his either knowing a syllable of any alteration being intended, or without his being present to be heard in his defence! Perhaps the noble Earl was not aware of the ill effects of taking away a freehold right, without weighty and serious ground having been previously established; and without first hearing the party to be affected by a measure of that nature. Patent Places were generally executed by deputy, and often accepted on that condition. He had never heard any complaint made against the present Clerk of the Peace for the county of Lancaster, or the manner in which the duties of the office were executed. Nor had he ever heard at any time, of any inconvenience whatever, having resulted from the office having been executed in the like manner, and he could speak with some authority on the subject, as the office of Clerk of the Peace for Lancaster had been held by ancestors of his own, in regular succession one after the other for near a century. Men who had gone to their graves with as honourable and pure a character as any the proudest Peer that ever sat in that House. He believed the present Clerk of the Peace to be a man of equally

pure and honourable character, and why he was to be so unkindly, and indeed so unfairly, dealt with in his absence, he could not imagine; but he meant not to impute any thing dishonourable in motive to the noble Earl, he had no right to do so, and he was far from meaning so to do, but he was persuaded the clause then before the House was not taken out of the same quiver, from which the arguments their Lordships had heard from the bar were produced; they were liberal and candid. He rather suspected that the clause in question had been put into his Lordship's hands by some person actuated by private pique or malice, and he had too high an opinion of the honour of the noble Earl to suppose, that had he been aware of its impropriety, he would have become the wilful instrument of so malignant a purpose. He trusted, however, that the House, as a House of Parliament, would not lend itself to such an occasion.

The *Earl of Lonsdale* said, he rose in consequence of what had just fallen from the noble and learned Lord, to avow himself the author of the clause; and he had before stated that his reason for introducing it was, because he thought such a clause would be for the general good of the county, though he was of opinion, that the bill would not prove advantageous to it. The noble and learned Lord had thought proper to make a parade of the honour and purity of his ancestors, who held the office of Clerk of the Peace formerly. He had nothing to say against them. They were not the object of the present consideration of the House. The House was legislating for the county as it now stood circumstanced; he repeated it therefore, that the Deputy Clerk of the Peace ought to be amenable, where the principal could not be found, and no person knew where to look for him, whether as he had before said, at Gibraltar, in the East Indies, or at Ostend. He did not wish to object to the principal's enjoying the profits of his office, though he understood he had disposed of them to Mr. Villiers; but let his Deputy reside in a place easy to be found, and near at hand to where the Sessions are held. He therefore still wished the clause to be adopted.

Lord Kenyon said in reply, that what had fallen from the noble Earl, had not in the smallest degree removed his objection to the clause, as introducing new conditions to be attached to the exercise of the office of Clerk of the Peace, when no accusation had been brought forward even, much less proved against him, and when he had not been heard in his defence; and another objection to the noble Earl's argument was, that interfering with the Deputy in the absence of his principal, it went to subvert a wise and established principle, viz. that of holding

holding principals responsible in the first instance. The clause besides, though of a very serious and important nature, had been brought in by the head and shoulders, and had in fact nothing to do with the present bill, and made no part of the avowed object of it. Would the House therefore consent by a side wind, and on the sudden, in the last stage of a bill in that House, to overturn a matter of freehold right, which is fit and necessary to be abolished or regulated, ought to be done so by a distinct bill, regularly brought forward, and submitted with due deliberation to the full discussion and consideration of both Houses of Parliament. With regard to one part of the noble Earl's speech, he would only advert to the old saying, "that those who were disposed to throw stones, should not forget that they had glass windows themselves." He might indulge himself in talking of Custom House places, and what not, procured for election purposes, but he would not condescend to such low wrangling.

The *Earl of Londale* rose once more to insist that his clause was for the good of the county, as he had originally stated. Leigh, where the Deputy Clerk of the Peace resided, he repeated it, was seventy-eight miles distant from the northern parts of the county, and twenty-six from that of Preston, it was not a post-town, and the roads about it were bad; the alteration he had proposed was likely to prove useful to the county, and was therefore fit to be introduced into the present bill, which made new provisions with respect to the sessions. With regard to what the noble and learned Lord had said of Custom House offices, he did not understand him. He knew nothing about them; perhaps he alluded to the noble Lord near him. [Lord Grey de Wilton.]

Lord Grey de Wilton said, he rose merely to set the noble Earl right respecting a single mistake that he had fallen into. Leigh, the place where the present Deputy Clerk of the Peace resided, was not such as the noble Earl had represented; the roads to it were not bad, nor was it so difficult of access as he imagined. The mail coach to and from Preston, which the noble Earl had himself admitted to be the central town of the county, ran within four miles of it, and a principal post-town, to which a messenger went every day, lay within five miles of it. As he had lived in that part of the country all his life, he would add that he never had heard the least complaint of inconvenience of any kind charged upon the deputy of the clerk of the Peace, in consequence of his residence, which was certainly near to

the populous and manufacturing and commercial towns of the county, from whence sessions causes were most likely to originate.

The *Earl of Lonsdale* said, the noble Lord has misstated his argument. He had not said, that he admitted Preston to be the most central town in the country; but that the bill stated it to be so, and that for the sake of argument he would suppose it was, and had drawn his clause accordingly.

Lord Lonsdale finding it to be the general sense of the House, consented to withdraw the clause.

The *Earl* then produced another clause, to enact that no Justice of Peace, should be capable of being elected Treasurer of the county, or Receiver of the County Rates.

Lord Kenyon said, that a general regulation to the effect of the clause in question might possibly be a fit matter of legislative provision, but he saw no reason whatever for annexing it as a part of the present bill, and therefore must object to it. If the noble Earl would at any future period, and not on the spur of the occasion, introduce such a regulation as generally applicable throughout the kingdom, his present feelings, and without having more leisure or opportunity for consideration, inclined him to think he should have no objection to give such a regulation his support, but it would, if taken up singly, carry with it an invidious aspect, and therefore he must oppose it.

Lord Thurlow said, he rather thought it peculiarly necessary and proper to be annexed to the present bill, because as the present bill went to cast a suspicion and a disgrace on the Magistracy of Lancashire, in his mind very undeservedly, but as that was the effect of it, if they deserved to have such an odium fixed upon them, it was in point of consistency fit to follow it up with so marked a jealousy as the clause conveyed.

The House divided on the clause being made part of the bill:

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Lord Thurlow rose again, and went into a general consideration of the bill, and of all the proceedings respecting it, as well as the arguments urged at the bar for and against it. He reprobated it as full of inconsistency, contradiction and absurdity, and contended that the passing it in the present state

state of the bill, would be in the highest degree disgraceful to their Lordships as a House of Parliament. It was he maintained altogether unnecessary, and seemed chiefly calculated to cast an odium on the magistracy of the county, and punish them for abuses, which if they had committed, he should have imagined the Chancellor of the Duchy, would have done his duty in the first instance, and punished by striking them out of the commission; as that had not been the case, it was fair to conclude, that they did not deserve the odium and disgrace the bill loaded them with. If it passed as it was, the title of the bill strictly speaking, ought to be "An Act to oblige all Justices of the Peace, in the county of Lancaster, to act as gentlemen," or rather "as the gentlemen of other counties did," but he hoped the House, for its own honour, would not give its sanction to such an inconsistent bungling business, parts of which were so unintelligible, that even the Counsel in its support, did not understand it themselves. Some of the most forcible objections urged at the bar against it, had not been at all answered; two in particular. How and when were appeals to be made? To the Quarter Session? That could not legally be the case. That matter surely required a more explicit and intelligible explanation. Again no answer, had been given to the objection as too violent an alteration of the former statute, viz. that of delegating to two justices only, powers the exercise of which was restrictively given to not less than seven justices. Was it wise or politic so widely and wantonly to depart from the prudence and caution of the former regulation? and yet it had not been thought worth while to take the smallest notice of an objection of so much weight and magnitude. His Lordship said he happened by accident to be one day present in the Committee, when evidence in favour of the bill of an extraordinary sort was admitted, to say the least of it, very irregularly. The deputy clerk of the peace had chosen to fill his reports with the conversations of the justices, and reports so made out were issued piecemeal, as orders of sessions, and when produced in the Committee, admitted to be read as evidence! Having severely animadverted on the whole proceedings his Lordship concluded with still expressing a hope that the House would not incur the disgrace, that in his opinion must attend the passing so unintelligible, inconsistent, and motley a bill, as that under consideration without some alteration to remove the objections to which it was liable.

Lord

Lord Kanyon in reply said, that the bill implied no censure whatever on the Magistrates of the County of Lancaster. He entered into a legal definition of the distinction between the Justices of Assize, and the Justices of Quarter Sessions, and defied any lawyer to combat his positions, which he rested on the different denominations, of *Judicarii Pacis*, and *Judicarii ad capiendas Assisas*, &c. which latter description was only given by the King's commission to justices empowered to hold assizes, and there to hear pleas, and also to hold sessions of *Oyer and Terminer*, and of general jail delivery. The present bill gave a power to hold sessions as often as the emergency should occur on twenty-one days notice, and therefore no difficulty could arise. The learned Counsel for the bill (Mr. Law) had clearly stated this. What his noble and learned Friend had said, respecting a general rule being necessary to be laid down for justices in all counties, was clearly dictated by good sense, but "the best sense founded on ignorance of facts (he said) could make but little progress." The noble and learned Lord was not aware, that the County Palatine of Lancaster, has a jurisdiction distinct from that of every other county in the kingdom. The sessions are there held at Lancaster, and adjourned from thence to Preston and to two other places. The present bill originated in a contest between the Justices of Lancaster and the Justices of Preston, each of whom had struggled for jurisdiction, and surely it could not be beneath the dignity of the Legislature, to pass an act to allay these heats, and put an end to all further dispute on so grave and important a point, by Legislative authority?

Lord Thurlow said, that two of his objections had not been noticed by the noble and learned Lord, namely, where and how the appeal was to be made, and touching the delegating powers to two justices, which before had been thought unfit to be trusted with less than seven. With regard to the first, he was utterly at a loss, to whom the appeal was to be made; it could not be to an adjourned Annual Sessions, neither could it be made to the Quarter Sessions, because the justices there were not, as the noble and learned Lord had himself stated authorized *placita tenere*, nor could it be made to an adjournment of the Court of Session, as it was a known and established principle of law, that an appeal could not be made to the same session, and an adjournment was clearly a continuation of the same session. Exclusive of these two objections first stated at the bar, and to which no answer had been

been given, he must still contend that the bill affixed a stigma on the character of the justices, and at the same time, did so contradictory a thing, as to vest two of those disgraced justices with powers which hitherto the wise caution of the Legislature had refused to entrust to less than seven justices. His Lordship observed, that his noble and learned Friend had imputed ignorance of facts to him, and charged that as the cause of their not agreeing upon the subject; and what did those mysterious facts turn out to be? Why merely that the Court of Sessions in Lancashire had hitherto been first held at Lancaster, and was then adjourned to three other towns in the county one after the other, a fact that was too well known to be a secret. With regard to the clause just rejected, his noble and learned Friend so far agreed with him, that such a regulation might be a wise general regulation, though he did not approve of its being made peculiar to the Duchy; he repeated it, that it appeared to his mind as most singularly proper for the present bill, because, if the magistrates deserved the disgrace thrown on them by the bill, a Justice of the Peace, was not fit to be trusted with the treasurership of the county, but he was convinced, they had not been guilty of the abuses which the bill implied; if they had, why had not the Chancellor of the Duchy done his duty, and crossed them out of the commission? Lord Thurlow reprobated the whole proceedings as inconsistent, and revolting to Legislative usage, which had hitherto been confined to passing acts founded on general principles of wisdom and policy, not partial in their application, but equally applicable as rules of law throughout the kingdom, and he declared, he had no manner of doubt, but that a little time would prove the absurd, contradictory, and impracticable provisions of the act then under consideration, and that their Lordships would be called upon in a session or two to expunge so useless and embarrassing an invasion of legal principles from the statute book.

Lord Kenyon rose to explain by reminding their Lordships, that he had already stated, that a session court might on any emergency be convened at twenty-one days notice, when Lord Thurlow said, a word or two from his seat upon that being in the nature of an adjourned session. Whereupon Lord Kenyon confessed he was outweighed by authority, but he was bound to give his own opinion such as it was after due consideration, and to act according to his own judgment, which was satisfied as he had before stated, that the bill contained

tained every proviso that human wisdom could suggest against possible difficulties, and that he had no doubt it would prove a salutary statute, if passed into a law.

The *Earl of Liverpool* said, he should not have risen to take any part in a debate, turning so much on legal construction, that two of the first law authorities in the kingdom could not reconcile their opinions upon the subject, had not one of the noble and learned Lords (Lord Thurlow) more than once alluded to him as Chancellor of the Duchy of Lancaster, and intimated that if he had done his duty, the present bill would have been wholly unnecessary. Though he would not presume to interpose his opinion in a debate on points of law, he might venture to state matters of fact, that were involved in the discussion, and were material to be stated, as the bill then under their Lordships consideration, originated in consequence of what he would take the liberty to relate. More than two years since, a contention arose between the Justices of Lancaster and the Justices of Preston, or rather those magistrates who lived near each of those towns, at which they were usually convened to hold the Session Courts, respecting the priority of jurisdiction. The county felt great inconvenience from the heats that this contention gave rise to, and the Justices of Preston, in order to allay those heats and animosities, finding all attempts at accommodation fruitless, offered to try an issue at law upon the question; after the proposal lay open for nine months, the Justices of Lancaster declined accepting the offer, the difference of opinion had nevertheless ever since prevailed, and therefore, for the peace of the county, and to attain other useful objects, an application to the Legislature was deemed necessary, and thence their Lordships had the present bill submitted to their consideration, a bill drawn with peculiar attention to the interests and to the general convenience of the county. With respect to the bill's conveying a reflection, or affixing a stigma on the Magistrates, they were the best judges, if they felt it to do any such thing; he had no apprehension that it would be so considered. The noble and learned Lord, however, had said, that if he had done his duty, he might have put an end to the contention, by striking those justices out of the commission, who obstinately persisted in refusing to accommodate, and remained refractory. He would appeal to their Lordships in general; nay, he would appeal to the noble and learned Lord himself, in candour to say, that any Chancellor of the Duchy ought to have risked the striking half the Justices of Peace of the county out of the commission at once, tained

and that merely upon a difference of opinion which they entertained in contradiction to the opinion entertained by their brethren. How could so strong a proceeding be justified, and what an invidious task must it be for a Chancellor of the Duchy to execute, especially when he sincerely believed a more upright, active, and respectable set of Magistrates were not to be found in any county in the kingdom, than in the county of Lancaster, and when he said this, he meant to apply it equally to all the magistrates of the county? Besides, even if so strong a measure would have been otherwise unobjectionable, would it have been wise or politic to hazard the striking half of the magistracy out of the commission in a time of war, the most perilous of any this country had ever been under the necessity of carrying on, and that too in a maritime county in which the enemy might possibly attempt or effect a landing while the county was rendered weak by the distraction of intestine feuds and animosities? He flattered himself that a moment's consideration would serve to convince any noble Lord, that if he had been willing to commit himself to so embarrassing a business, and made himself a party either way, the interests of the public would have been materially injured. With regard to the bill's being an innovation, as far as it went to shifting the place of holding the courts of Session, it was no such thing. As an answerable proof that he was founded in this assertion, his Lordship said, he held in his hand a copy of his Majesty's Commission, authorising the Justices of the county to hear pleas, and try causes twice a year at Lancaster, *or elsewhere*, within the county, and that Commission was exactly in the same form in which it had continued to have been drawn for a considerable number of years past. His Lordship said, he trusted, that circumstance would at least go some way to repel the objection on the score of innovation.

Lord Thurlow rose again, and said as the noble Earl had declared that he did not much understand matters that turned on legal points, in which he believed he greatly undervalued his own extent of knowledge, he had listened with great attention to what the noble Earl had seemed to conceive he did better understand, but unfortunately he had not been able to derive any great benefit from the noble Earl's detail of matters of fact. The noble Earl had a mode of debating, which his Lordship owned he was not equal to. He had a way of turning round the argument, which either he, or any other noble Lord had urged, putting it into a debateable shape, and then overturning and defeating it. The noble Earl said, that the noble and

learned Lord had charged him with neglect of duty in not having put an end to the contention among the Magistrates of Lancashire about their jurisdiction, by striking one half of the Justices of the Peace at once out of the commission. He appealed to the whole House, not only whether he had said any such thing, but whether he had said any thing like it? His argument he was ready to repeat. It was, that the bill implied a disgrace on the magistrates, and consequently it was fair to conclude that they had been guilty of some abuse or other, and if so, the Chancellor of the Duchy would doubtless have done his duty by striking such Justice or Justices as had been so guilty out of the commission. With regard to the bill not being an innovation: Was it no innovation to trench upon the chartered rights of the town of Lancaster, rights given in one instance, (in the reign of Henry the Fifth, by and with the consent of his Parliament in Parliament assembled which was equal in his mind to the authority of an act of Parliament) and again was it no innovation to vest two justices only with powers hitherto thought unsafe to be put into the hands of less than seven justices?

The Earl of *Liverpool* said, he understood the noble and learned Lord perfectly, but as he knew of no abuse the magistrates of the county of Lancashire had committed, unless their entertaining a difference of opinion could be deemed an abuse, and as he could not by any means so consider it, he could only answer the noble and learned Lord's argument, by fully stating the real grounds of the bill, which were to be looked for in the contention, whether the magistrates of Lancaster should possess an exclusive right of superior jurisdiction, or whether it should vest in the magistrates of the county at large.

Lord *Thurlow* again rose to explain, which he did very shortly.

The Earl of *Lonsdale* then recapitulated his general objections to the bill, ascribing it to personal motives, rather than to views of inconvenience, and advantage to the county of Lancashire, which his Lordship said, he was persuaded would not prove to be its effect.

Lord *Granley* rose merely to make a single observation, and that was, that it was clear the appeal could not be meant to be made from the Court of Session to the Quarter Session, because many appeals necessarily must go to a jury, and the Quarter Sessions had not in their constitution a power to impanel a jury.

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The question being at length called for and put, the House divided, when the numbers were

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Majority 8

Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, June 6.

Colonel *Gaseigne* brought up a petition from the town and corporation of Liverpool, upon which he grounded the following motion :

"That leave be given to bring in a bill enabling the Mayor, Corporation, Burgesses, &c. of the town of Liverpool, to raise a certain sum of money for the better protection and defence of the town and port of Liverpool." Leave granted.

A message from the Lords informed the House, that their Lordships had agreed to the Armorial Bearings Tax bill.

On the motion for the third reading of the Scotch Twopennies bill, it was opposed by Sir *R. C. Glynn* as merely applicable to local purposes, to the detriment of the public revenue.

It was opposed on the same ground by Mr. *Pole Carew*, and Mr. *Sheridan* ; and supported by Mr. *Secretary Dundas*, Mr. *Wm. Dundas*, and Sir *Wm. Pulteney*.

Mr. *Sheridan* proposed an amendment, that the bill be read a third time on Monday next ; which, after a few words from Mr. *Dundas*, was agreed to.

MR. ARTHUR O'CONNOR.

The Hon. Mr. *St. John* rose, and observed, that it must be in the recollection of the House, that when he first stated it to be his intention to introduce a motion respecting the manner in which Mr. Arthur O'Connor and his brother Roger had been arrested a second time ; he had also intimated, that he felt it his duty to obtain all possible information on the subject, previous to his submitting it to the consideration of the House. The information he had since obtained, confirmed him in his first opinion, and he had lost no opportunity in making that information more complete: indeed, he came down to the House that day fully prepared with the reasons and arguments on which he had thought proper to ground his motion ; and he would have brought it on agree-

ably to the notice he had given, had it not been hinted to him, that some further delay was thought advisable by the friends of the gentleman to whom his motion alluded; it was therefore his wish, if not inconvenient to the House, to defer his motion till Friday or Monday next.

The *Attorney General* expressed a desire to know the nature and tendency of the motion.

Mr. *St. John* said, that the first motion he intended to make was, that there be laid before the House copies of the warrants upon which Mr. Arthur and Mr. Roger O'Connor had been taken into custody.—It was not for him to go further at present into the matter, when many gentlemen had signified so earnest a desire that it should be postponed.

The *Secretary at War* wished to know the nature of the second motion, which the hon. Gentleman had signified his intention of bringing on.

Mr. *St. John* said, that if his first motion was not objected to, he should feel no difficulty in signifying the object of his second. For in the first instance, he had no hesitation in saying, that the warrants he would call for should be found completely illegal.

The *Attorney General* said, that he should object to the production of the warrants, but not to the deferring of the motion.

Mr. *Sheridan* insisted on the propriety of some delay, as certain papers were now in the hands of the parties concerned, from which much advantage might be derived to their cause.

The motion was then deferred till Monday next.

On the motion of Mr. *Dundas*, the Committee on the Provisional Cavalry bill was deferred till Monday.

Mr. *Rose* then moved, that the Convoy bill, or the bill for the more effectual protection of trade, be now taken into further consideration.

The House accordingly resolved itself into a Committee on the bill, and went through its remaining clauses.

Adjourned.

HOUSE OF LORDS.

THURSDAY, June 7.

SHIP OWNERS BILL.

After the several bills brought up from the House of Commons had passed through their respective stages, the order

order of the day for the second reading of the Ship Owners bill, and hearing Counsel thereupon was read,

The *Earl of Liverpool* presented a petition in favour of the bill, signed, he said, by a number of the most respectable persons in the commercial line; not one Ship-Owner was among them; they were principally Underwriters; they were strongly in favour of the bill. His Lordship moved, that the petition do lie upon the table; which was ordered accordingly.

Counsel were then called in, and were heard on both sides at great length; Mr. *Adam* and Mr. *Cross* appeared as Counsel against the bill; Mr. *Law* and Mr. *Parke*, as Counsel for it.

Mr. *Adam* detailed at considerable length the various arguments that suggested themselves against the bill. He stated, that the preamble of the bill, which set out with expressing "that doubts had arisen as to the right construction of the existing laws on the subject," was not founded in truth. That in fact, no doubt whatever had arisen in the mind of any lawyer, or been ever entertained by any one of the Courts in Westminster-Hall, but that the decision in the case of *Smith and Shepherd*, which had occasioned so much alarm to the Ship Owners, and was the alledged cause of the present application to the Legislature, was not governed by any new idea of the construction of the existing statutes, but by the known and established principles of law, clearly expressed in the preambles to two several acts of Parliament, one passed in the seventh year of the late King, and the other in the 26th of his Majesty. Mr. *Adam* contended, that the present bill tended to overturn the known and established principles of law, and to introduce an anomaly amidst the statutes, to the advantage of the Ship Owners, and the prejudice and injury of the merchants, who freighted their ships, and entrusted them with rich and valuable cargoes. He controverted the necessity for their Lordships to pass any such bill, by asserting that the Ship Owners, had it in their power to preserve their own interests by altering and shaping their bills of lading, so as to save themselves from a larger risque than they chose to adventure, and he took a distinction between that part of the bill, which related to freights carried beyond sea, and that respecting freights in vessels navigating canals and inland rivers from port to port, strongly contending that the risques and hazards of the two different species of navigation, were extremely wide and distinct,

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distinct, and could not be equally entitled to the same degree of consideration.

Mr. *Craik* followed Mr. *Adam* on nearly the same grounds, and took pains to shew that usage was the best expositor of the common law, and that it was evident from invariable usage, that the decisions of the Courts had gone upon the same grounds as that pronounced two years ago by Lord *Kenyon*, in the case of *Smith and Shepherd*. He enumerated the various cases to be met with in the law books, and commented upon each to mark their distinguishing features and to shew, in what respects they were analogous, and in what they differed from each other.

Mr. *Law* argued very elaborately in favour of his clients, and in support of the bill. He admitted that in Courts of Law, no doubt had been entertained on the subject, but he contended that the Ship Owners, and even the merchants themselves had, erroneously he confessed, but certainly entertained a very different opinion upon the subject, and had uniformly governed their conduct accordingly. That they had done so was evident from the petition on their Lordships table, signed by a list of names of merchants, who were not Ship Owners, but names of men the most respectable of any in the City of London, and names whose weight and authority he trusted, their Lordships would readily acknowledge. — The Lord Chancellor interrupted Mr. *Law* to observe, that the House could not pass a bill on the weight and authority of mere names however respectable. They could not as legislators listen to such an argument for a single moment.

Lord *Kenyon* said, the names to the petition ought not to be deemed the most respectable of any merchants in London, he hoped there were some hundreds of names equally respectable to be found, but he was ready to admit that they were respectable merchants, very respectable indeed.

Mr. *Law* resumed his argument, and mentioned the cases that bore at all upon the subject of the bill to be found in the Report Books down to the case of *Smith and Shepherd*, stating, that they were but few, whence it was evident that let the law be as it was, the opinion entertained by the Ship Owners had been tacitly acknowledged, and acted upon in a great variety of instances without the smallest complaint or murmur. He also contended, that in other maritime places in foreign countries, the same notions were entertained, and the same usage uniformly obtained.

The Lord Chancellor said, the same principle was established

in the marine law in all parts of Europe; but that the Ship Owners might make special contracts, governed by conditions insisted on their parts, and submitted to by the merchants, such special contracts were distinct matters, and did not at all alter or affect the general and established principle of the marine law.

Mr. *Law* admitted most readily that they did not, but he said, he thought it his duty to his clients to mention the fact, in order to account for their having been induced to entertain doubts, where undoubtedly no legal doubt existed, and thence to shew the necessity for the Legislature once for all to settle the matter by making a contract by the authority of an act of Parliament to be abided by in all cases.

The *Lord Chancellor* said, why cannot the Ship Owners do that for themselves by altering their bills of lading, in like manner as was the case, he believed he might say, universally, with all proprietors of stage coaches, waggons, and every species of land carriage, who in their bills expressly state, that they will not be liable for gold, jewels, cash, bank notes, or other more than ordinarily valuable property, unless due notice is given of their value, and a *per centage* paid on them by way of insurance?

Mr. *Law* said, that the very first thing the Ship Owners attempted after the case of Smith and Shepherd was decided, was to frame such a bill of lading, but they could not draw it to please their foreign correspondents and employers, who being used to the practice that prevailed abroad, viz. in Denmark, at Hamburgh, and in Holland, where the Ship Owners were held to be no farther responsible than for the ship and freight, would not accede to the proposed alteration of the bills of lading.

Mr. *Parke* said, he had found occasion to look into all the old writers upon the subject of marine laws, and he found the principle to be as stated by his learned Friend.

The *Lord Chancellor* said, he probably meant the Roman law.

Mr. *Parke* replied, that he had adverted to the law of Rhodes, which obtained antecedent to the Roman law, and there he found principles such as he had stated.

The *Lord Chancellor* said, the Rhodian law embraced only one branch of the subject, but that there was not a solicitor of any standing, who did not know how the law stood upon it in England, as no man could read the preamble to the two acts

acts of Parliament before alluded to, without perfectly understanding it.

Mr. Parke said, it was the wording of those preambles that had confounded and misled his clients, the words "perils of the seas" stood in one of them, and they were not aware that those words meant "the King's enemies." Mr. Parke said, he had a book of authority lying before him, containing a statement of the practice, which obtained as to the responsibility of Ship Owners in Denmark, at Hamburgh, and in Holland. He also went over the general grounds of the case, as made out by Mr. Law in support of the bill, and entered particularly into that part of the bill, which referred to sloops, &c. navigating canals, and rivers, contending that if the bill did not pass, although the owners of the vessels received no more than 1s. 3d. per cwt. they might be liable to losses amounting to 30,000l. at a time. He stated the usual manner of insuring upon freight so carrying, being for freight to be conveyed in sloop or sloops, from Bristol to Yarmouth, or Liverpool to Hull, or as the case might be. Mr. Parke made the most of his argument, and spoke with great force and fluency, and with uncommon knowledge of law foreign and domestic, considering his standing.

The Counsel having been desired to withdraw.

The Earl of *Liverpool* rose, and said, that although he could not pretend to discuss the legal points that had been so fully argued at the bar, yet from the situation in which he had the honour to be placed by his Majesty [President of the Board of Trade] he had heard and seen so much upon the subject, and received so many applications respecting it, that he felt it his duty to trouble their Lordships with a few observations previous to his moving, that the bill be read a second time. His Lordship reminded the House, that the navigation of the seas had ever been considered of such importance to the country, as well with a view to its commerce, as its defence, that it had been looked up to as the favourite and paramount consideration of British policy. Commerce itself had been obliged to give way to it, and in order to promote and encourage navigation, a decided preference had been so far given in its favour, that the merchants frequently felt reason to complain of being hardly dealt with by the Legislature, and in consequence were applicants for relief. It was of the utmost importance to encourage commercial men, who had a large capital, to adventure in shipping, and the more they

they could be induced to become ship-owners, the better it was for the general prosperity of the kingdom, in both the points of view that he had already stated. The general custom he believed was, for each person who was willing to become proprietor of a ship, to give five hundred pounds for a share (a sixteenth) and when the list was full, the proprietors chose a ship's husband from among themselves, who managed all the concerns of the vessel. The Legislature at all times had lent a willing ear to the applications of persons of this description, and two acts had been passed in their favour, and for their relief—the act of the 7th of the late King, c. 15. and that of the 26th of his present Majesty, c. 86. His Lordship stated, that at the time when the first act was passed, that great and respectable character Lord Talbot sat upon the woolstack, and that when the last mentioned act passed, Lord Mansfield presided in that House. The object of each of these acts was for relief in cases, of greater importance than the Ship owners asked to be relieved from in the present instance. The act of the 7th of the late King was, to render owners of ships liable only to forfeit the value of the ship and freight, for embezzlements committed without their knowledge.

The act of the 26th of his present Majesty was founded on an application for relief from an accident of a very inferior nature, compared to that on account of which they now prayed relief, viz. from fire, an accident which could scarcely be supposed to happen, unless the crew of a merchant ship, which had not necessarily gun powder or combustible matter on board, were unpardonably negligent, as their personal safety depended on their care and attention to avert so fatal an event. From what had been urged at the bar it was evident, that no doubt of the construction of those acts which he had mentioned, or of the law as it stood, had been entertained by the courts in Westminster Hall, or by any lawyer of tolerable practice; unfortunately, however, not only the ship owners, but even the merchants who were in the habit of freighting vessels with their goods, had fallen into a common error, and totally misconceived the law, and upon that misconception they had mutually acted, till the decision in the case of Smith and Shephard manifested their mistake, and taught them the danger into which their misconception had led them. Alarmed at the discovery, they had convened meetings, and considered what were the most prudent and practicable means of insuring themselves against an extent of risk, upon which they had through inadvertency, arising from ignorance of the law, never calculated. Their first idea was, to alter the bill of lading, but difficulties insurmountable presented them-

selves when they attempted to reduce their notions to practice, and they found their last resort for relief, must be an application to the Legislature; upon that ground it was, his Lordship said, that the Ship-owners now came before that House, and he hoped their Lordships would condescend to grant them the relief prayed for, and pass the present bill. The applicants stood in a situation eminently useful and important to the state, and it must be evident to every man, that the fullest encouragement ought to be given to them, as far as it could be held out consistently with a due regard to law and equity. The petition on their Lordships' table in favour of the bill, was signed by a number of merchants of the highest character and reputation, who professed not only a willingness to acquiesce in such relief as the Legislature should in its wisdom think fit to grant the Ship-owners, but anxiously and earnestly prayed that such relief might be granted. The Ship-owners themselves, his Lordship said, were most respectable men, and it was inconceivable how much the nation was indebted to them for their public spirit, their enterprising genius and their ardour of adventure. To check such men in their meritorious career, might throw a damp on the efforts and energy of one of the most useful descriptions of men in the community, and be productive of infinite mischief to the state. He had conversed with several of these Ship-owners on the subject, who all agreed that mistaken as they might have been with regard to the construction of the Statute, it was a common error into which they and the merchants had mutually fallen, and that in their opinion nothing short of an express declaratory Statute could settle the matter and put it out of question. Nay, so convinced of this were they, that two of the most opulent and respectable among them had assured him, that if the bill did not pass, they would sell their shares in shipping, and quit a species of traffic in which the profits were so unequal to the risque: he had heard the Ship-owners that day compared to Land-carriers, the Proprietors of Stage coaches, and Waggon, but no comparison, in his mind, could be more unlike. The carriers by land had it in their power to see that the goods they undertook to carry from one place to another were safely conveyed. They might superintend their servants, correct their abuses, prevent their negligence, and take every necessary precaution to avert danger or damage. Not so the Ship-owner, from the moment that his vessel put to sea, it was out of his view, he had no controul over it whatsoever, he could not tell where his property was, nor could he prevent the possible want of care, or negligence of those in whose hands he had necessarily entrusted it. In a word, there was no sort of similitude in the two situations of a

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Land-carrier, and a Ship-owner. He conjured their Lordships to recollect how important it was for this country, to pay particular attention to every thing that concerned her navigation. That the superiority we had attained over other maritime states, in that respect, was daily producing the most essential advantages to the first interests of the British empire. That so acknowledged was our pre-eminence at sea, that it was notorious, although the ships of the northern nations would carry freights at considerably less per ton, than our ships, the preference was decidedly given in our favour by the shippers of those very states which had a marine of their own, and they never thought their property so safe as when it was embarked in British bottoms. To what was this preference to be ascribed, but to the superiority of our ships and our seamen, and to the spirit and liberality of our ship-owners, who, without scruple, put their fortunes to the hazard, and were in every point of view entitled to the favour and protection of the Legislature. With regard to the shippers they had an ample security from the underwriters, and would sustain no injury from the favour now requested being extended to ship-owners. Nor was it a novelty that was desired. He well knew that the laws of Holland, of Hamburgh, and of Denmark, and indeed of all the continental maritime powers, were governed by the principle adopted by the present bill, that their rules were yet more favourable to the Ship-owners, and that they stood in those countries in a situation still preferable to that on which British Ship-owners would stand, even after the present bill, should it receive their Lordships' sanction, were passed into a law. Upon all these considerations his Lordship said, he deemed it his duty to move that the bill be now read a second time.

Lord Thurlow began his reply by complimenting the noble Earl, on the great degree of knowledge that he had displayed upon the subject, which, nevertheless, appeared to him to lay in a very narrow compass. The noble Earl had stated, that two of the most eminent and respectable of the Ship-owners had assured him, that if the Legislature refused to grant the relief prayed for by the present bill, they would sell their shares in shipping, and abandon a species of traffick in which, in their minds, the risk was so much larger than the profits. Tremendous as this threat was, his Lordship said, he was neither much surprised, nor much shocked at it. Whenever persons concerned in a particular branch of business, were anxious to obtain an object favourable to themselves and their interests, they were seldom sparing of strong language and vehement expressions. It was some consolation, however, to his mind, to be able to form a tolerable idea from the great and respectable

list of affluent commercial men, who had for years embarked capital as Ship-owners; that such a concern was a source of adequate profit and advantage. It did not therefore quite credit the menace thrown out by the two gentlemen alluded to by the noble Earl, nor believe that they would cease to become Ship-owners, so long as that species of traffick should remain advantageous, but if they even were de- enough to keep their word, he was perfectly persuaded that other merchants would be ready to enter into the trade. With regard to what the noble Earl had said of the preference given by northern nations to entrusting their property in British bottoms, rather than those of their own country, which the noble Lord ascribed to the superiority of our ships and our seamen, he believed it was more to be ascribed to another cause, viz. the facility which the Courts of Justice in this kingdom afforded to all suitors to recover damages proportionate to the responsibility of Ship-owners, or any other description of persons with whom foreigners had entrusted their property; a facility to be found in no other country in Europe, and which he verily believed was the true ground of our high reputation as a maritime state, and hoped it would continue to the end of time. But so far was the bill from recognizing and supporting this basis of British credit, that it went to undermine and destroy it, by lessening the security hitherto afforded to the shippers of goods, and in defiance of a known and established principle of law, creating an advantage in favour of Ship-owners, neither equitable nor justifiable as a legislative provision. It was, his Lordship said, not a little extraordinary to hear the noble Earl argue with so much confidence, that Ship-owners bore no similitude to Land-carriers, whereas in the eye of the law, they were regarded precisely in the same point of view, and several acts of Parliament regulated them by the same principles, particularly the two identical statutes, mentioned by the noble Earl himself. He owned, he not only saw no necessity for passing a new law upon the subject, but that much mischief might be the consequence of introducing into the code a statute, directly contradictory to the known and established law as it had hitherto stood; and it was the more unnecessary, as the Ship-owners by an alteration of their bills of lading might make special contracts for themselves, and guard against any greater risque than they chose to run. There was therefore no sort of occasion for the House to go out of its way, and lay down a peremptory contract, as a general regulation, which must in the result prove a disadvantage to both parties concerned in shipping, as under different circumstances, different exceptions, might be fit to be taken, and the contract between the shipper and the Ship-

Ship-owners be drawn accordingly. If he thought that the bill could be so ameliorated in a Committee, as to be made to answer any good purpose, and be freed from any of the weighty objections that lay against it, he should not object to its going to a Committee; but as he despaired of any such effect being produced, and considered it as an impracticable attempt to improve, what was in itself so much misconceived, and so radically erroneous that it would not admit of improvement, when the question was put on the noble Earl's motion, he should be under the necessity of saying, *not content*.

The *Lord Chancellor* said, he thought it incumbent on him to resist a bill, the direct and avowed object of which was to overturn and subvert the established principles of the common law, nor could he even consent to admit the humour of any particular description of traders to be a fit ground of legislation. If such a principle were once given way to, let their Lordships reflect for a moment on what must be the consequence. Instead of a regular, well connected, and perspicuous system of law, a motley collection of patched, piecemeal absurdities denominated Acts of Parliament, singular and irrelative, and suited rather to the convenience of individual descriptions and classes of merchants, mechanicks, and traders, would fill the Statute-books, and rather form a perplexed, obscure, unintelligible chaos, than a plain, simple, and intelligible code. All laws should be deduced from accurate reasoning, and be grounded on general principles. In the present case, the assertion in the preamble of the bill, that *doubts* existed was not true, nor was it decent to alledge so gross a falsehood, as the ground of a declaratory law; no doubt whatever existed as to the law; it was universally known and acknowledged. Ship-owners were legally responsible for the safe delivery of their freights in all cases, except where accident happened in consequence of the dispensations of Providence, or from the King's enemies. That was the long established principle of the common law, as applied to the subject, and that it was uniformly held to be such, was to be learned from the highest law authorities, from Lord Hale, from Lord Chief Justices Holt and Lee, and from the late Lord Mansfield, nay so free from doubt was it, that a student would not be fit to called to the Bar, if he did not know it. It was upon this clearly ascertained principle, that his noble and learned friend [Lord Kenyon] had decided in the case of Smith and Shephard, upon which the Ship-owners affected to have taken so violent an alarm. What was the nature of the contract entered into between the Ship-owner and the shipper, but that the former should deliver the goods put on

on board his vessel in the same condition in which they had been received, and the Ship-owner was responsible for any damage or loss, except as the law termed it, from the acts of God, such as lightning, tempest, &c. or from the King's enemies? The present bill went directly to subvert the principle of the common law, and to substitute not a contract, but rather something in the nature of a *trust*. It at once lessened the security of the shipper, and the responsibility of the Ship-owner, placing the former in a worse situation, than he stood in at present. It was said, that without any immorality or negligence on the part of those who had the care of the ship, accidents might happen; the ship might strike on a sunken rock, or a sand-bank, neither of which was laid down in any chart. To meet these difficulties, why could not the ship-owners make their own contracts, and introduce such exceptions to their responsibility as they thought proper in their bills of lading, as was the universal custom with carriers by land? If the bill passed, its provisions, were so absurd and contradictory that he should from his heart pity the Judge and Jury who were called upon to decide on it. The old acts did not overturn the common law, they went only to affirm its principle, and to limit its provisions in particular instances. Let the complainants make their contracts, or bills of lading, in what shape, or to what effect they pleased; but let them not, by a general law, say, that the Ship-owners shall be answerable only in cases of "actual default." What was actual default? How could it be incontestibly described? Let any specific instance be stated, but not the general term actual default. In fact, the bill affected to do that which was beyond the power of any Legislature to perform. Suppose for a moment the Ship-owners were to be gratified, the Lightermen would next expect a similar relief; nor could the Legislature consistently deny it to them. The Wharfingers would follow. Above all, he would put it, and to those who most supported the bill, the Ship-owners themselves; on the the probable consequence of passing the bill. Let them think on the claims of seamen; those might look up, and justly too, in such a case, to Parliament for relief. As the law then stood, they were not entitled to their wages except the voyage was perfected. In case of shipwreck, even where their very existence was endangered; after all the vicissitudes of hardship, of cold, of hunger, and fatigue, which the seamen in such cases must suffer, still they could not legally insist upon their wages. He had himself tried cases in the Court of Common Pleas, which greatly affected him, and wrung the hearts of the Jury, to find himself obliged

obliged to decide against them, but he was obliged to direct the jury so to do, as the principle of law was clear and undeniable. If the bill was passed, how could the House set their faces against the claim of the seamen? Let the owners consider this! He believed, as his noble and learned Friend did, whose opinion most deservedly always had, and would continue to have great weight and authority in that House, the superior encouragement which the laws of the country held out to them, to be a principal inducement to foreigners to prefer British ships. He did not see how the bill could be ameliorated in a Committee. One of its leading provisions went to annul all the subsisting contracts, and those, under which, ships were to serve a given period, had taken their departure; and this subversion of engagement was desired at the instance of one of the contracting parties; it was an *ex post facto* law of the worst kind; it bore the character of *merciless iniquity*! And he wondered how the other House of Parliament could suffer such a bill to pass through it---for his part his feelings as well as his understanding, impelled him to offer his protest against the further progress of the bill.

The Duke of Leeds said, that after what they had heard at the bar, and supported in so able a manner by the two noble and learned Lords, for each of whom he entertained a sincere and profound respect, he ought to apologize for rising to offer a very few words. He owned, he had regarded the bill in a different light, before he heard what had fallen from such very high authority, which had its due weight on his mind. He nevertheless wished, that the bill might be suffered to go to a Committee, that they might see if it could not be so far amended, as to remove the strongest objections to it. With regard to what the noble and learned Lord on the woolsack had said of the bill's annulling the existing contracts with the owners of such ships as had sailed; if it would produce such an effect, possibly when the acts of the 7th of the late King, and the 26th of his present Majesty passed, they were productive of the same inconvenience, but at any rate, he conceived the introducing a strong clause in the Committee to meet that matter, would remove the objection. Much stress, his Grace observed, had been laid upon the ill effects of innovation, by the learned Counsel, and the determination of the ancient Barons cited, *Nolumus Leges Angliæ mutari*. If this principle was rigorously pursued and carried to its full extent, he would ask, to what end did their Lordships sit in that House? No Lord respected grave and
ancient

ancient institutions more than he did. They should not be changed upon important occasions, and when the alterations were evidently for the better. He confessed, that he paid some deference to the opinions of those respectable persons who signed the petitions in favour of the bill, and great as the authority of his learned friend was, still he thought the bill ought to be committed, where he hoped it might be altered as not to trench upon the principles of the common law, and to be really beneficial. If these points could not be attained in the Committee, he certainly would oppose the further progress of the bill.

Lord Lyttelton said, he saw no necessity for any such bill, nor could he imagine a reason, why the owners might not by a change in the draft of their bills of lading, secure themselves from every degree of responsibility, they wished to avoid incurring. His learned and noble Friend on the woolsack, had said, that if the bill passed, it would annul the existing contracts between the owners of those ships which had already sailed, and the shippers of their cargoes. That was not the whole of the mischievous effect of it, it would quash actions already commenced between parties, but not brought to trial. His Lordship said, he thought the bill to be radically wrong in its principle, and to be inconsistent in its clauses, that he deplored the possibility of letting it go far to night in the Committee, as to remove the many weighty objections it was liable to, and therefore, if their Lordships chose to send it to a Committee, he must take his leave of it, as he could not pretend to give his assistance to a matter, that he clearly saw was impracticable.

Lord Auckland said, that he had relieved himself to the close of the present discussion, because he had wished to hear every thing that could be said by noble Lords of great weight and authority, who had that day differed in their opinions upon a question of such high commercial importance. In the result his judgment might be erroneous, but certainly it was a judgment formed by a mind subject to no bias, to no prejudices, nor to any possible interest in the decision. Except what arose from a sincere wish to do justice and conscientiously, what appeared to him best calculated to promote the general prosperity of the British empire, if he could have suffered personal feelings to affect him, they would have operated in favour of a decision contrary to that which he was about to give. Previous to the debate he had thought it his duty to obtain such information upon the subject,

ject, as could come within his reach; and he had accordingly conversed much upon the subject with several of the parties, who promoted and brought forward the bill; men of extensive dealings in trade, of great information, and of most respectable characters. He had listened to their argument with a disposition, if it had been possible, to have given his concurrence; he had listened to the very able arguments of the Counsel at the bar. He had given an unwearied and anxious attention to the subsequent debate; in the result, two questions presented themselves to his mind. Is the law doubtful with regard to the responsibility of Ship Owners? If it is not doubtful, do there exist any reasons of expediency for changing the law, or for introducing a new law?

As to the first of these questions, it was now ascertained by the admission of the Counsel at the bar, by the high authority of the three learned Lords who had spoken in the debate, and by the statute book itself, that the law is clear and indisputable. It had long been so; it had been decided in many solemn cases; it had been repeated in the preambles of two statutes, which had been passed upon the subject. It was probable enough that the construction of the law was unknown to many, who had no particular call to advert to it. But it ought to have been known, and must be presumed to have been known by those whose line of business and responsibility required them to know it. Be that however as it might, the law was now known and recognized; and it would be a gross and glaring falsehood to admit what is stated as the principle of the present bill, that the law is doubtful. Still less could he admit as an inference to be drawn from a doubt, whether founded or not founded, that a clause should be introduced, taking away and annulling by retrospect, a right of action in support of an existing claim. He was sorry for individuals, whose ignorance or inadvertence might have exposed them to loss; but such a remedy would be a violent and iniquitous proceeding, which their Lordships would not sanction.

Such being the state of the law; was it become expedient to introduce a new system. In other words, was it become wise to lessen by a legislative provision, that general responsibility to which the masters and owners of vessels are liable, unless they restrain it by a special contract? In his opinion, it was clearly for the benefit of all, for the benefit even of the promoters of the present bill to leave the subject open to competition and to special contract. To the shipper of

goods, it seemed to be highly important to know that his carrier has an interest in providing good vessels and able mariners; and in the safety of the property entrusted to him; so the owner of the vessel it was open to him to limit the extent of his responsibility by any definition of it that he might think proper to announce. It had been declared by the learned Lords, that this might legally be done; and no man can be said to suffer a grievance who has a competent remedy in his own hands. On the other hand, the introduction of the law doctrine of providing a special contract for all parties by an act of Parliament, would be subversive of all the principles of our law; and above all subversive of those fair and salutary principles of responsibility and competition, under which the commerce of this country has risen to a point of greatness unprecedented in the history of mankind.

The House divided on the question.

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HOUSE OF COMMONS.

THURSDAY, June 7.

A message from the Lords informed the House, that their Lordships had agreed to the Lancaster Sessions bill, the Coal Admeasurement bill, &c.

The Attorney General moved, that the further consideration of the report on the Newspaper bill be deferred till the next day.—Agreed to.

ANNUITIES BILL.

The Attorney General then rose to observe, that every act passed during a session of Parliament had a religious and retrospective view to the beginning of the session in which such act had been passed.—This was a fiction of the law; but it had been found injurious to the construction of an act passed in the 17th of the King, by which all annuities were declared null and void, unless they had been registered within twenty days from the date of their respective grants. To obviate the effect arising from this act, it was his wish to move for leave to bring in a bill to make such annuities legal as were granted between the 31st of October, 1776, and the 16th of May, 1777.—This precaution was the more necessary, as several of those annuities were granted within the time on the most fair and liberal terms.—Leave given to bring in the bill.

PRISONERS

PRISONERS OF WAR.

The report of the Committee appointed to enquire into the treatment of Prisoners of War in this country was taken into farther consideration, and the resolutions unanimously agreed to; when

Mr. *Will. Boscawen* then observed, that he felt it his duty not only to tranquillize the minds of the English nation upon a subject which so nearly and deeply interested their feelings and affected the character of the country at large; but he thought it also necessary to contradict the erroneous reports that had been noised abroad among foreign powers respecting the treatment which Prisoners of War had experienced in Great Britain. It must, at the same time afford subject of general satisfaction to learn the humane manner in which our troops have been treated since they were made prisoners at Ostend.

This returning sense of humanity on the part of the enemy should be cherished and encouraged on our part, and the object of the motion he had now to make, was, to mitigate the calamities of war, and to promote the disposition towards lenient treatment, which now began to be manifested on the part of the enemy, while it held out to all foreign nations the mild and humane spirit with which we were ready to treat such prisoners as should fall into our hands. Mr. Boscawen concluded by moving, that the report and resolutions be laid before his Majesty's by such members as were of his Majesty's Most Honourable Privy Council, together with an humble request that his Majesty would be graciously pleased to take such measures, as to his Majesty's wisdom should seem fit, for communicating the same to such Princes and States as were in amity with his Majesty.

Lord *Belgrave* seconded the motion. He accorded with his honourable Friend, in rejoicing at the returning sense of mildness and humanity lately displayed by the enemy towards our gallant countrymen, who had been made prisoners at Ostend; nor could he here withhold his tribute of praise to the able manner in which they had accomplished the object of the expedition. There could be now no doubt entertained of the humane manner in which all Prisoners of War were treated in this country; and all he had now to wish was that, some means, however indirect, should be taken of making a similar declaration to all the powers now at arms with us, in order that they might be assured, that should the fortune of war throw any of them into our hands, Englishmen

men would treat them with an honorable consideration and humanity.

Mr. H. Brown approved of the address; but wished it had no relation to the treatment which our troops lately experienced from the enemy.

Mr. Vassittart not only was of opinion that a communication ought to be made to Congress in conformity with his Majesty, but wished Princes and States at war, and even the Directory of France itself, might have copies of the report and resolutions transmitted to them.

Mr. Hobbhouse would not oppose it, but at the same time he felt it his duty to observe that he was extremely dissatisfied and injudicious, as it might prove of infinite disservice to our troops who had hitherto met with a treatment from the enemy which called for the approbation of every liberal man.

The Speaker here observed, that the report and resolutions now agreed to were antecedent to the affair at Ouden.

The motion was then put and agreed to without a division.

The Liverpool Trade Protection Bill was read a first time.

The petition complaining of an undue imposition for Malmesbury was discharged on the motion of Mr. Bragg, as not having been presented within the time prohibited by the rules of the House.

The Hat Duty bill was read a second time, and ordered to be committed the next day.

Mr. H. Thornton moved the third reading of the Slave Carrying bill.

Colonel Gascoigne opposed it; and said it was a measure of too great importance to be decided in so little a sitting.

Mr. Thornton would not consent to its being deferred. The question was then put, and 17 members only being present, the House adjourned.

HOUSE OF LORDS.

FRIDAY, June 8.

The Militia Pay and Clothing bill, and a bill to empower his Majesty to embody a corps of Militia, &c. in Devonshire and Cornwall for the defence of the country, were presented from the House of Commons by Mr. Widdows.

A number of private bills were presented by several gentlemen, which, as well as the public ones, were respectively read a first time.

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The various bills upon the table, were forwarded in their several stages.

After the other bills had been disposed of,

Lord Grenville moved, that the above bill be now read a second time,

The Earl of Carnarvon expressed his surprise that no explanation, at least of the principle of a bill of such great importance, had been given previously to its further progress being urged.

Lord Grenville replied, that, in that point, he thought the bill sufficiently explained itself. It was a measure of great and obvious public and individual advantage. The bill went generally to enable persons to purchase their respective proportion of Land Tax, on terms equally advantageous to themselves, and beneficial to the state. This was the outline of the principle of the bill.

The Earl of Suffolk said, he considered the measure in a very different light. Taxes were heaped upon every part of the community to an almost incredible amount. The Salt Duties in particular, in consequence of the late additions, were insufferable; they bore principally upon the lower order of land-holders, and on the poor in general, to the amount of 40 per cent. in fact, every species of property was burthened to the utmost stretch. He could not but observe the favour shown to the mining interest; the present measure was an instance of it. He thought the bill such a one as that House ought not to pass; neither did he think the principle of it sufficiently considered by the noble Lord; the pressure of the burthens upon landed property was already too great. Taxes should be imposed equally upon every kind of property. On these grounds he deemed it his duty to oppose the bill.

The Earl of Liverpool contended, that the Salt Duties operated in an equal proportion upon every description of persons—it was a species of tax, the burthen of which would fall on the consumer. At the same time he could not help observing, the little relevancy which the Salt Duties bore to the subject in question. His noble friend, he conceived, had very faithfully delineated an outline of the principle of the bill, to which he would add, that the measure would prove a saving to the public of between 3 and 400,000, per annum. It would raise the funds, and be productive of the most beneficial consequences with respect to future loans. These were the real principles of the bill; as to its details, and particular

ticular provisions, they were obviously within the exclusive province of the other House of Parliament.

Lord Auckland rose to observe, that the noble Earl's argument respecting the Duty on Salt, was totally irrelevant to the question before the House, nor in fact was the noble Earl founded in the conclusions he had drawn respecting the probable proportion of pressure of that duty on the landholder and his tenants, so far from amounting to four per cent. it would not, in fact, amount to one half of that sum, and in many instances to not more than one fourth.

The *Earl of Suffolk* acknowledged, that to a certain degree, the point he adverted to was irrelevant to the subject in debate; but as these duties, which, he asserted to be the fact, bore more particularly upon the landholder, he conceived it not unconnected with the bill. When the additional Salt Duty bill was on the eve of passing that House, he had attended two days, but not together, one day elapsed between, and on that day it happened the bill was passed. He reprobated such principles of taxation. Let the impost be so laid as fairly and equally to affect every species of property.

Lord Thurlow said, it was a fortunate circumstance, that the duty upon Salt should accidentally have been mentioned, as his Majesty's Ministers appeared more ready and willing to argue upon that subject, than to do what seemed to be the more natural business of the day, viz. to give some explanation of the principle of the bill, as they themselves understood it. He had not the good fortune to hear what the noble Secretary of State said upon the subject, but if what his noble friend, the noble Earl near him [*Lord Liverpool*] had said, was to be considered as all the explanation necessary, and they were to understand, that the effect of the bill was to be, the produce of three hundred thousand pounds; or four hundred thousand pounds *per annum* applicable to the public service, he must declare he could not credit the explanation, as he had read the bill from one end to the other, and found nothing in it that would support such an assertion. He protested, speaking on honour, that under the present circumstances of the country, no measure calculated to add to the revenue, and enable Government to meet the difficulties that were but too evidently at their door, could be brought forward, that would not be received with the most favourable prejudices of his mind, and that if he could have found any thing in the bill that manifested that it would produce an advantage, in any sort of proportion to the sum stined as the probable effect of its operation, he would himself have come forward to explain in what manner it was likely to do so, in case no other Lord had thought it necessary to take that task upon himself. Unfortunately after a

perusal of the bill, he could not with any colour of truth say one word in its favour, but was obliged to declare it a partial, unjust, and ill drawn bill. So conscious were the framers of its slender pretensions to a cordial reception, that in order to give it a chance of passing into a law, they were under the necessity of introducing provisions, that were shocking to every idea of, and in defiance of every principle of established justice, and common honesty. There was a gross partiality in the different manner in which it treated the gentlemen landholders of Scotland and England, with respect to the power it gave to trustees to sell part of their wards estate to purchase the land-tax of the estate, subject to a decree of the Court of Session, whereas so far from the same tenderness being shewn to the gentlemen land-holders of England, there was not only a negligence, but negligence was too cold a term, there was an absolute contempt of right and justice respecting them. He complained in strong terms of the transfer to trustees of power to sell parts of estates to purchase the land-tax, notwithstanding the wishes of the owners of it, not to have any such sale and purchase made. He said, in alluding to a late bill, what might be deemed impertinent, and he had no scruple to acknowledge, that, however much any noble Lord might dislike and oppose a measure while it was under discussion, yet when it had received the sanction of the Legislature, it was every man's duty to speak of it with decorum, nor did he mean to do otherwise, but if he did not bring that admired measure, certainly not admired by him, to bear upon the present subject, he would be content to have what he should say upon it, called impertinent, and submit to the reproach of having idly wasted their Lordships' time. That bill was held up to admiration, as a tax on income, the present bill being a tax on property, could no be extolled without having the point of admiration changed. When that bill was under discussion, he remembered it was said, in rather a triumphant manner, no man will be compelled to pay the assessed taxes: he is under no compulsion, he may swear to his income. It so happened in his own case, that he was charged in the proportion of at least a third more than his income amounted to, and it was said, he might swear to his income, or pay the assessment. Was it forgotten, that there was a penalty of goods hung over him if he did neither, and yet it was said, there was no compulsion, and that the swearing was not to be called a disclosure of income. So with respect to the present bill, it affected great favour and advantage to landholders, while, in fact, it was loaded with provisions, which clashed with every principle of justice, policy, and humanity. In order to shew that his assertion was founded, he would point out to their Lordships

Lordships what the clauses were that warranted such a conclusion. At the same time, he was aware that the principle of the bill was the proper subject of debate on the second reading, and the detail of it was more regularly to be discussed in the Committee. To that objection, if urged, he had two answers to give; first, he was justified in adverting to every clause that was inseparably connected with the principle of the bill, and secondly, as no alterations could be made in the Committee which would not prove fatal to the bill, its detail might as well be considered both in respect to its principle and its provisions ~~that~~ as in any subsequent stage. It was, he admitted, the duty of every person protected by Government, to contribute in proportion to his means to the support of that Government, the bill under consideration however outraged every sound principle of taxation, and of equality. If he understood or could at all tolerate its principle, it was a requisition upon every landholder to sell an aliquot part of his estate in order to purchase a certain proportion of stock as a redemption of his land tax, and this money was to be immediately paid into the hands of the Commissioners for reducing the National Debt. [Lord Grenville and other noble Lords on the cross bench *No, no such thing*]. Lord Thurlow said, he so understood it. He was glad he had thrown out the idea, since, as it had been whispered to him, that such was not the object, he presumed he should hear a satisfactory explanation of what the principle of the bill was. If his opinion was not correct it must have been owing to the bungling and slovenly manner in which the clauses were drawn, and which placed them beyond the reach of his comprehension. [Lord Grenville and other Lords near him smiled] Lord Thurlow said, they might smile, but neither smiles nor sneers would affect him; he was proof against that sort of attack, but he should be glad to be fairly refuted in argument, and he was convinced that he ought to retract what he had said. He was not speaking in the spirit of party. He spoke as he felt, and was too old, and too far gone in the world to have any views of personal ambition. In his opinion taxes avowedly ~~definitely~~ taxes upon property should be imposed equally, but the present measure was a flagrant instance of the most gross violation of that principle. In some cases a person would be compelled to sell one fifth of his estate to purchase his land-tax, while in others he need not part with more than a twentieth to attain the same object. By way of illustrating his particular objections, his Lordship produced a written paper full of remarks upon many, and indeed most of the clauses of the bill, which he stated at length, and expressed his opinion upon each of the

proceeded in terms of great and marked asperity. In referring to every clause he commented upon, he mentioned the page of the printed bill, in which it was to be found, in order that if any of their Lordships chose to reply, they might compare his argument with the clause as it was worded. The only clause that met his approbation was that, which gave a power to repeal, alter, and amend the bill in the present Sessions. Several clauses his Lordship reprobated in the most pointed and unreserved terms, and that which gave a power to tenants to cut down timber on estates without the consent of the landlord, he declared he had no hesitation to pronounce one of the most arrogant stretches of iniquity, the hand of despotic power ever put forth to wound the feelings and insult the common sense of mankind. Where the bill did not legibly bear this character, it was absurd in the highest degree; it was in order to render the measure practicable, that the pernicious clauses were introduced; and he must retain his opinion, that a measure which entitled every man to buy, and obliged so many to sell, was no other in effect than a requisition for the disposal of an aliquot part of every man's estate. He again urged the idea of taxing the personal property of every individual; and in the present measure he said, he could not avoid observing the evident preference given to the monied interest to that of land. The landholders were treated in such a manner as brought to his recollection a simile which he had seen in a miserable book, called, *The Life of Sir Robert Walpole*, who, it was said, compared the country gentlemen to sheep, who quietly suffered themselves to be shorn and re-shorn; and the monied men to hogs, who always made a noise and an uproar, whenever they were attempted to be touched. For this reason, he supposed, in the present instance, the latter description of persons were left untouched. But if the landholders, or country gentlemen were satisfied with this measure, they would deserve every evil that the bill was about to inflict on them.

Lord *Auckland* said, that certainly there was not a single Peer in the House who would not feel and acknowledge, that in the alarming and awful predicament in which the British empire now stands, it is become a sacred duty to facilitate and support every measure which, in the words of the preamble, "may materially conduce to strengthen and support the public credit; and to augment the national resources." The impression of this principle was such as to exclude from the present debate all captious objections, or even those niceties and doubts, which might be justifiable and laudable under other circumstances. He had not been surprized therefore when the noble and learn-

ed Lord assured the House that he was disposed to meet the discussion of the day with every *favourable prejudice*. How far that partial disposition had shewn itself in all the learned Lord's objections, and in the whole stile and turn of his speech, those who had heard him would judge without farther comment. The learned Lord had said, "that the measure was neither more nor less than the requisition of an aliquot part of every man's estate, to be sold, in order to apply the produce of the sale towards the payment of the national debt." "That the provisions for this purpose were slovenly and inaccurately drawn; and that many of those provisions were obnoxious, pernicious, iniquitous, and shocking to common honesty." In order to give some support to these allegations the learned Lord had entered into a discussion of many of the separate clauses, under the pretext that those clauses affecting the execution of the bill might be considered as affecting its principle. He (Lord Auckland) would not be induced by such a distinction to embarrass himself and fatigue their Lordships by a discussion of the particular clauses. He would adhere to the course of debate which the wisdom of the House and of ages had prescribed. The consideration for the day appeared to be whether the measure in question is considered with good judgment in the selection of our financial resources, and in the mode of bringing them into action: or, in other words, whether it is a practicable measure; and whether there is a rational probability that any considerable sale of the Land Tax will take place; and what will be the consequences resulting from any considerable payments made in the matter proposed.

Most of the questions as stated, seemed to resolve themselves into one plain and simple enquiry: whether eleven pounds issuing out of land will not in many cases, be thought preferable to ten pounds issuing from the public funds, more especially when the eleven pounds will be the extinction of a payment which the party must otherwise have the trouble of making to the Exchequer, in order to have the subsequent trouble of receiving the ten pounds at the Bank. By preferring the eleven pounds, the purchaser becomes his own paymaster; and he will have the farther inducement, that in any present or subsequent period of difficulty or danger, he will have obtained a landed as well as a funded security. Under this impression he had little or no doubt, that it would be felt to be the interest of those who have money, or the means of raising money, and who pay a Land Tax, to liberate their Land Tax on the terms proposed.

To those who are not owners of land, or who wish to purchase

chase the Land Tax of others, the offer made by the bill would be less advantageous. The question to them would be, whether they prefer 12l. issuing from the land, to 10l. issuing from the Funds; but in this class also, he confidently believed there would be many purchasers.

To many in both the classes, it was a matter of arithmetical demonstration; that their advantage would be great. In order to elucidate this, he would assume 30 years purchase, as the medium price of lands to be sold by virtue of the act, for the purpose of raising money to redeem the Land Tax. He would next suppose that the Land Tax to be redeemed amounts to 160l. a year. The land sold for that purpose, will at 30 years purchase, produce 3000l.; but 110l. a year in the 3 per cents. is to be the price. Supposing the 3 per cents. to be at 50, the cost of 110l. will be about 1,850l. and in that case the gain will be 1,150l. If the 3 per cents. are at 60, the cost will be 2,200l. and the gain will be 800l. If the 3 per cents. are at 70, the cost will be about 2,590l. and the gain about 400l. Such will be the advantages on the small scale assumed. But it might be shewn, and will be found that in many cases, and particularly in estates belonging to the Crown, the Church, and Corporate bodies, pieces of land may be selected, which could, without detriment to the remaining estate, be sold at forty years purchase, in order to liberate Land Tax at 18 years purchase, giving more than a profit of *cent per cent.* either in principal, or in income.

Having thus contended that much would be done by the bill, because it would promote the interests of many, he would next say a few words as to the advantages resulting to the public.

If the whole Land Tax could be sold, the advantage to the public, would be from 200,000l. to 400,000l. a year, or in proportion to whatever part may eventually be sold according to the price of the Funds, at the time of sale. One great result would be the extinction of from 40 to 80 millions of capital in the 3 per cents. which would thus be taken out of the market. Supposing the whole sale to be completed in four years from the commencement of the operation, it would bring on the average about 200,000l. a week, or about 30,000l. a day for the extinction of stock. If, however, the progress of the business should be much slower, there could not be a doubt that it must operate in favour of public credit, when we advert to the important and salutary effects arising from the daily purchases now made by the Commissioners for the management of the two sinking Funds: an establishment of great

and eminent national wisdom, to which he would not hesitate to ascribe all the solidity of the proud situation in which Great Britain now stands among nations.

But putting aside the whole of what he had now so strongly assumed and asserted, he was willing to consider the bill as a mere experiment, which held out a facility to individuals, certainly no constraint as stated by the learned Lord, but a facility of which men might avail themselves in as far only as might suit their dispositions and convenience.—Opinions might vary as to the probability of the effects to be produced by such a measure. If those should unhappily be right, who think that it will prove ineffectual, and that few purchases will be made, still however the inconveniences resulting from the experiment will be inconsiderable. But if those should prove right, who thought as he did, that the measure would be practicable, profitable, and highly productive, their Lordships will then have had the satisfaction of contributing their sanction to one of the most salutary and most important bills that ever was brought into Parliament.

Lord *Thurlow* said, that to purchase one hundred and twenty pounds a year stock, the said owner need not sell so much of his estate, as the noble Lord who always spoke handsomely and ably, had stated.

Lord *Auckland* replied, that he thanked the learned Lord for the objection, as it would enable him to throw new light on one part of his argument.—It was true as remarked by the learned Lord, that in many cases the bill allows only as much land to be sold, as will pay the eighteen years purchase prescribed by the bill. Still however, the advantages to the general property of the party will be equally great. For whether 100*l.* a year, should be sold to liberate 100*l.* a year Land Tax, leaving 1,200*l.* profit; or whether only 60*l.* a year, should be sold for the same purpose; still the seller will have gained either the 1,200*l.* in money, or the 40*l.* in income, which estimated at 30 years, will be 1,200*l.* So that the noble and learned Lord's objection made in favour of his argument.

Lord *Thurlow* said, it possibly might.

Lord *Holland* said, he ought to apologize to their Lordships for the imperfect manner in which he was about to trouble the House with a few observations on the present extraordinary bill, which was of so great length and complexity, that with the best efforts of his diligence and his understanding, he could scarcely say, he was yet thoroughly master of it. He might indeed plead his inexperience in examining bills of that nature, but that he imagined would be unnecessary, as he had no doubt he should hear of it in
it

the course of the debate. The considerations, he had stated would however have induced him to be silent, were it not that he was strongly impressed with one or two objections to the measure, that he deemed it his duty to advert to even under every disadvantage: what struck him as the most objectionable feature in the whole bill, was the consideration that in order to carry it into effect the Land Tax must first be rendered perpetual. He would suppose that it were totally disposed of---then in a very few years, the exigencies of administration might require a fresh land tax; and that tax might, and probably would, be sold again: by this means, and in this progression, the whole lands in the country must in a few years pass through the hands of government. Some countries, he allowed, were so circumstanced with respect to their capital, their circulation, and their territory, that such a consideration would not be alarming. But with respect to this country, it certainly was to the highest degree. It was a system that must necessarily change the proprietors of the land; it must wrest it from the hands of the great proprietors among their Lordships, which possession at present constituted the great strength and independence of that House. This was a most serious consideration, and he conjured their Lordships to reflect upon it. He then entered into some calculations, with intent of substantiating the positions of the noble and learned Lord on his side of the House. Among these, he thought one of the most objectionable provisions was that which, in his mind, went to pledge a buyer to follow up his purchases, till he had liquidated his whole proportion, whatever might be the state of the funds. This he considered as a species of fraud, or a delusion in the bill. Some parts of it also left opportunities for combination among the landholders, with respect to purchasing. He regretted that those distinctions were made between the monied and landed interests, so evidently to the disadvantage of the latter; and censured Ministers for bringing forward a measure of such vast importance at so late a period of the session, and attempting to press it through in so thin a House.---The bill was of that nature as would take up any man, in or out of that House, a fortnight to read it, and as much more to understand it.---He concluded with declaring, the situation in which the landholders were placed by the bill, the sacrifices they were obliged to make, which would be soon forgotten; and that after all they were liable to every species of additional taxation, in common with every other description of propri-

proprietors. The bill made the possession of land as insecure as that of personal property, and instead of, extinguishing, as it purports to intend, the inveterate and much-lamented distinction between the landed and moneyed interest, it had a direct tendency to perpetuate and confirm it, but he would again repeat that its most dangerous tendency would be to make the whole of the landed property of the kingdom pass through the hands of the Executive Government, and thus, as too extremes always met, leave us in no better condition than if we lived under the dominion of Rohenfjerre, or of the Turk.

Lord Grenville said, the debate had taken a very different turn from what ought fairly to be expected. They were then regularly (and were called upon by Lords at the other side) to discuss the principle of the bill; instead of which, those very Lords, setting the principle entirely aside, entered into an animadversion upon mutilated provisions and details of the bill, in which they indulged themselves. One noble and learned Lord particularly, in cavils and sarcasms, delivered with the most verbose circumlocution, and this was all professed to be in answer to two short and distinct propositions, which included the principle of the bill, and were stated by himself plainly and simply, and by his hon. Friend next to him (Lord Liverpool) with great ingenuity. The learned Lord during his laboured declamation, kept entirely aloof from the consideration of what they had stated as the principle of the bill: These points were unanswerable. A great deal of what had fallen from the noble Lord was merely theoretical, and in taxation absolutely irreconcilable to practice. The measure in question was founded upon the Land Tax, as it now existed. Were the tax to be discontinued, and a new one projected, some of the noble Lord's observations would apply; and the principle of equality, as far as practicable, would properly be attended to. The present measure was not only, in addition to the intrinsic advantages it possessed (as were ably demonstrated by a noble Lord who had spoken in the debate), founded in sound policy, but was called for by the exigencies of the country, which demanded large and prompt supplies for the public service. With respect to the apprehension entertained by the noble Lord who spoke last, of fresh and continued taxes on future occasions, he could only say, that when such taxes were proposed to Parliament, then, and then only, would be the time for their consideration; or when any proposition

position should be broached hostile to the liberties of the country, then would be the time to discuss it: and until those periods should arrive, he could not detain the House on points which now were founded on conjectural speculation. There was no sort of delusion or fraud, as had been insinuated by that noble Lord, in the bill. Its provisions were plain and distinct. The persons to be affected by them had every opportunity of informing themselves. Whatever contracts or bargains they might make it would be with their eyes open. They would, in the particular cases, be the best judges of their own interests; and the measure, he insisted, was not less calculated for the interests of individuals than for those of the public at large.

Lord Thurlow spoke shortly in explanation.

The *Earl of Caderharron* spoke generally in disapprobation of the measure, and declared, that he had not heard one word in argument which reconciled him to it. He seemed to think the bill not founded in policy or justice, and of a very questionable tendency in a constitutional point of view.

The question being called for, their Lordships divided, and there appeared in favour of the second reading of the bill,

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The bill was then ordered to be committed, and the House adjourned till Monday.

HOUSE OF COMMONS.

FRIDAY, *June 8,*

The amendments made by the Lords in the bill for abolishing certain holidays at the Custom House, and for regulating certain fees therein, &c. being considered, it was agreed that such amendments intrenched upon the privileges of the Commons, and therefore the bill was laid aside by ordering that the amendments be taken into consideration this day three months.

Mr. Martin said, he held in his hand a newspaper in which there was a paragraph which stated a very serious fact.

He

He did not know, whether any gentlemen of the Admiralty were present; if there were, he wished them to attend to it. —“On Wednesday last, no less than nine impressed men, who had, in the night, been suffocated in the hold of the “tender off the Tower, were brought on shore to be owned by their relatives. Six perished in the same manner the preceding night.” —This was the paragraph, and a very foul report it was, if it was false, and an apology should be made for its insertion; but he should wish to know from gentlemen of the Admiralty, whether there was any foundation for this report. If there was, he could only say that if the exigency of the times required rigour and severity in the way of pressing men, it was proper they should be treated with every possible humanity. He should not have troubled the House now upon the subject; he should have waited until the next day, to find whether the report was contradicted, but that he knew the House usually adjourned from Friday to Monday, and that was too long a time to wait for the information; all he wanted to know was, whether there was any foundation for this report.

Mr. *Baker* thought the hon. Gentleman should not give implicit credit to every thing that appeared in a newspaper. Supposing the fact stated to be true (of which, however, he knew nothing) it was not to be necessarily inferred from thence, that the misfortune arose from the practice of impressing for our naval service; the same accident might have happened whether the men were impressed or not. God knew whether it had happened; but whether it had or not, there was nothing before the House to shew it was the effect of impressing.

Mr. *Wallace* said, that on the paragraph alluded to being observed, the regulating officer of the impress service was examined by the proper persons, and on that inquiry it was found there was not the smallest foundation for the report. It could only have been inserted with a malignant intention, and steps were already taken to bring the Publishers and Proprietors of the Paper to answer for it.

Sir *W. Milner* said, he sent to the Tower to inquire into this report, and he found there was no truth in it.

Mr. *Martin* said, he hoped the House would do him the justice to suppose he did not bring this forward as a charge against administration; all he wanted to know was, whether there was any foundation for the paragraph.

The House then went into a Committee of Supply, and voted

voted several resolutions, and the report was ordered to be received on Monday.

The Spice bill was read a third time and passed.

The *Attorney General* then moved the order of the day on the Newspaper bill, which was for taking the report into further consideration.

Mr. *Hobhouse* said, that if he did not oppose the motion for going into a further Committee, he was not, on that ground, to be understood as being precluded from afterwards opposing the principle of the bill, if he should deem that necessary after the bill came out of the Committee. Indeed, he doubted, whether any restraints upon the Press were necessary---One thing was clear to him, which was, that many of the restraints at present standing in this bill were not at all necessary, neither were they wise or judicious. They appeared to him not to be calculated to answer the end the learned Gentleman had in view. He entertained a hope however, that when the bill went into a Committee, many of the clauses now in the bill would either be struck out, or materially altered and amended, and other clauses introduced that would not be liable to the same objections, as he had to many that were in the bill at present. He was desirous to see what the Committee would do, and therefore he should not object to the Speaker's leaving the chair. It would, however, be satisfactory to him to understand what the nature of the law was at present on the subject. He should like to know, if the learned Gentleman (the Attorney General) would tell him, what was the extent of the liability of a proprietor of a newspaper; the liability, for instance, of one who might be called a sleeping proprietor; was such a person or was he not *criminally* responsible for any offensive paragraph that appeared in his newspaper? He owned it appeared to him that such a person was not criminally responsible; and this doctrine seemed to be sanctioned by a Court of Law, in the case of the KING and TOPHAM; there the defendant was found guilty of publishing a libel, not as *Proprietor*, but as *Conductor*. The same doctrine was held in the case of the KING and DUDLEY, for there the defendant was acquitted, because he was only a *Proprietor*, and was not the *Conductor*.---He wished to know, from the learned Gentleman, what the law was upon that subject, if he could fairly require it of him.

The question was then put, and the bill was recommitted.

The Committee proceeded on the clauses, and several amendments were made.

Mr. *Ryder* brought up a clause providing that, exclusive of the printer and publisher, where they were proprietors, the proprietors making affidavit should not be those having less shares than other proprietors.--- This was adopted.

On the clause requiring the printer and publisher to give in daily to the Stamp Office, a paper signed by them to be kept by the Commissioners, and to be produced in evidence if necessary.

Mr. *Hobhouse* thought that one year would be sufficient.

The *Attorney General* said, that the delays in trials for misdemeanour were such as might defeat public justice altogether if the time were so narrowed.

Mr. *Hobhouse* suggested, for the consideration of the *Attorney General*, that it might be proper that, instead of an action against the whole of the proprietors making affidavit, the party aggrieved should make an election of any of the persons whose names were given in.

The *Attorney General* said, it was a point deserving of consideration, but he did not think it was fit to introduce any thing of the kind in the present bill, which did not alter the law respecting cases of this sort, but only enabled those who were aggrieved to obtain redress against those by whom the offence was committed.

The bill was then ordered to be reported, and the House being resumed, the report was ordered to be received on Monday.

Colonel *Gascoigne* gave notice, that on Monday he intended to move that the Trade Convoy bill should be separated into two bills. He had received strong representations from his constituents on the subject, who were greatly alarmed at the bill; which, in its present shape, he conceived was pregnant with much mischief.

The other orders of the day were then gone through, and the House adjourned.

HOUSE OF LORDS.

MONDAY, 7th Decr.

LAND TAX SALE BILL.

The House, having resolved itself into a Committee on the Land Tax Sale bill, Lord *Walsingham* in the chair.

Several

Several clauses were disposed of without observation or amendment, when

The Duke of *Norfolk* rose to object to that clause, which vested a power in the Commissioners to compel the production of title-deeds, &c. of those who, under certain circumstances, proposed to purchase their proportions of the Land Tax. He thought there was no necessity for giving such a power. These Commissioners, he observed, were selected by the Ministers of the Crown; it therefore struck him as objectionable in a constitutional point of view---besides, it gave too great a power to curious or ill-minded persons.

The *Lord Chancellor* observed, that the clause gave no power but what was essentially necessary in the particular case. Deeds of reversion or remainder were necessary to be produced, upon such person urging his claims of preference to purchase: that any improper conduct on the part of the Commissioners in those respects, were rendered by the bill cognizable by the Courts; and where any reasonable grounds of complaint existed, punishment would follow. There were provisions in the bill which he thought would go to deter the Commissioners from such practices as the noble Duke alluded to.

The Duke of *Norfolk* not persisting in his objections, the clause was agreed to by the Committee.

After some further progress in the bill,

The Duke of *Norfolk* expressed his disapprobation of that clause which enabled tenants for life to sell part of the estate, without the consent of the remainder men. He imagined that this power might be exercised so as to produce the worst effects. He instanced the case of a tenant selling the lawn before the mansion-house, or any particular spot upon the demesne, which would prove injurious and vexatious to those in reversion.

The *Lord Chancellor* observed, that the interests of those persons were properly taken care of in the bill: Added to this, an appeal lay to the Court of Chancery.

The Earl of *Suffolk* was of the same opinion as the noble Duke; he disapproved of the mode of redress mentioned by the learned Lord, on the ground of its expence.

The Duke of *Norfolk* continued that the tenants had the option of disposing of this property under the sanction of the bill, at a very inadequate price---He would suppose the case of Burgage Tenures, where a few houses, not really worth in themselves 100l. but in another point of

view, according to a principle recognised by Parliament, they might be worth 20,000l.; these might be disposed of by the tenant, at a price which would be certainly inadequate to their current value.

The Earl of *Suffolk* took occasion to remark, that the bill was calculated to depress the landed interest, and to benefit the monied men. Those ministers who were its warmest supporters, he imagined, had not much landed property, whatever they might have of other descriptions, their interests therefore were not at stake. He thought the bill pregnant with mischief, in one point of view particularly, namely, it would lower the purchase of land. Indeed, he observed, the measures of ministers had tended to that effect already. What a few years since sold for thirty years purchase, now would not bring more than twenty-five: the bill would tend to reduce it still lower.

Lord *Grenville* replied, that the noble Earl's observations were in that stage of the bill totally irrelevant; they referred solely to its principle, which was admitted by the House, when they voted the commitment of the bill. Independent of this, there was nothing in his Lordship's observations to answer; they consisted only of general assertions, without a shadow of argument or proof. One thing which fell from the noble Earl, and which seemed to apply to himself, he would just notice, namely, that it signified very little to the House, or to the public, what description of property he might be possessed of.

The Lord Chancellor observed, that the bill was, in its principal channel of operation, by no means a compulsory one. It was totally a matter of option to the persons interested to purchase or not. If they chuse to buy, they could do it under the bill, upon terms most advantageous. The respective state of the funds, and the price of the purchase of land, would have an effect upon the bill. If lands fell, the operation of the bill must clog proportionably. With respect to the noble Duke's idea, that tenants for life might sell particular parts of the estate, such as he alluded to, he had little fears on that head; few of those whimsical sorts of cases, he believed, would arise: the bill afforded ample redress to the remainders in such instances; their interests were guarded by the notices to be given, and by other precautions.

After some farther explanatory conversation between the Lord Chancellor, the Duke of *Norfolk*, and Lord *Grenville*, the clause

clause to which the above referred, was adopted by the Committee.

The remaining clauses and provisions of the bill were, with the exception of one or two, which were objected to by the Duke of *Norfolk*, and the Earls of *Suffolk* and *Carmarvon*, and successfully defended by the *Lord Chancellor*, the Earl of *Morton*, and Lords *Grenville* and *Auckland*, severally adopted by the Committee.

In the course of the above, the Earl of *Carmarvon* spoke strongly against the measure. The jet of his observations went chiefly to the principle of the bill, and had very little reference to those parts regularly before the Committee. The noble Earl was replied to by the *Lord Chancellor*.

The Duke of *Norfolk* made a few observations upon a point which also related to the principle of the bill, namely, the unconstitutional tendency of making the Land Tax perpetual, thereby taking away, he said, one of the principal checks of Parliament upon the Ministers of the Crown. Not only this, but so much of the Consolidated Fund, as was intended to be voted annually, as a substitute for the Land Tax, was, in fact, he asserted, taking away so much of the security of the public creditor. Respecting these important points, he avowed his intention of bringing forward a proposition, either upon the report or the third reading of the bill; and expressed his surprize that Ministers had not the House summoned upon a proceeding of such high importance as the present bill.

After the bill had been gone through, the House was resumed, and the report was received. The bill was then ordered to be read a third time the next day.

The Duke of *Norfolk* said, he should bring forward his propositions the next day; and wished to know whether it was the intention of any ministerial Peer to move to summon the House upon that stage of the bill.

Lord *Grenville* replied, that he did not think it incumbent upon him, or necessary, to move for a summons upon the occasion. However, it was competent for the noble Duke, or any Peer on his side of the House, to move for a summons; to which proceeding he certainly could have no objection.

The Duke of *Norfolk* then moved, that the House be summoned for the next day, which was ordered accordingly.

HOLIDAY BILL.

The House resolved into a Committee upon this bill.

The

The Bishop of *Rochester* entered at some length upon a statement of the pernicious effects to be apprehended from the abolition of such a number of the Church Festivals as was proposed by the bill. The Reverend Prelate repeated those arguments which he delivered on a former night on the same subject. He described the nature and origin of the Institution of the different descriptions of Holidays and Church Festivals, and considered their strict observance to be essentially necessary to the due preservation of the established religion, against the inroads of Atheism. Many of the dreadful evils which took place in France he was confident arose from the abolition of the Christian religion in that country.

The Lord Chancellor agreed in what fell from the Rev. Prelate, and censured those parts of the bill which went to exact an increased rate of attendance from clerks and officers who had accepted their situations under the idea that a much less portion of their time would be required. He seemed of opinion that these sort of things should not be regulated by the Legislature, but in a great degree left to the principals and superiors in office, who, from their situations, must be the best judges. Neither was it necessary that their attendance should take place every day.

Lord Grenville agreed with the noble and learned Lord, that those points were not proper for legislative interference; a bad principle lately obtained, in subjecting those sort of minutiae to legislative provisions. His Lordship entered into some details with respect to the mode of regulating the attendance in certain public offices, particularly those under the controul of the Treasury: he seemed to think the provisions in the bill to that effect wholly unnecessary.

The Bishop of *Rochester* coincided in those sentiments; he stated, that by an act of Convocation in the latter part of Henry the Eighth's reign, a dispensation was ordered to labourers to work even on Sunday, for a limited time, in the harvest period, and at one particular time even fairs and markets were authorised to be held.

The Earl of *Suffolk* approved of the idea of permitting labourers to work on Sundays in harvest time. To render this more effectual, he thought the hours of service in the morning should be made earlier. In order to afford the labourers more time to work in the after part of the day.

After some further conversation, such amendments were adopted as appeared satisfactory to the Rev. Prelate, and the noble and learned Lord.

The House then resolved into a Committee upon the Tanners bill, when

The Duke of Bedford expressed his disapprobation of several parts of the bill, and entered into a detailed view of its merits. One provision of the bill, his Grace said, was to vest certain exclusive rights, similar to those conveyed by a patent, to any individual who professed to have discovered a mode of tanning without bark: this person, he thought, had no claim to such an indulgence. He thought the laws respecting the Tanning Trade required revision; and he adverted to certain provisions in the statutes of Elizabeth and James I. He said he did not mean then to urge any proposition on those points, but to reserve himself for a future stage of the bill.

The Lord Chancellor coincided in most of the observations of the noble Duke; but he thought it too late in the session to do any thing effectual in the business, in the way alluded to by his Grace. However, he recommended him to direct his attention to the subject in the next session.

After some explanatory conversation between the Lord Chancellor and the Duke of Bedford, the last clause in the bill was ordered to be struck out, which clause relates to the patent of Mr. Seely.

The House then resumed, ordered the bill to be reported, and at eight o'clock adjourned till the next day.

HOUSE OF COMMONS.

MONDAY, June 11.

The Militia Officers Allowance Bill was read a third time, and passed.

The report of the Committee on the Newspaper Regulating Bill was brought up, several clauses added, and the bill ordered to be read a third time on Wednesday next.

On the motion of Mr. Roebuck, leave was given to bring in a bill for abolishing certain places in the Customs.

A message from the Lords informed the House, that their Lordships had agreed to the Silver Coinage Restraining Bill, and several other public and private bills.

The bill for prohibiting his Majesty's subjects from going to, or residing in, France during the war, was ordered to be committed the next day.

On the motion for the third reading of the Scotch Twopennies Bill, Mr. Sheridan proposed omitting the three last clauses,

clauses, which granted the sum of 4000*l.* per annum to the Magistrates of Edinburgh out of the Consolidated Fund.

On this motion some conversation took place between Mr. Secretary Dundas, Mr. William Dundas, and the Solicitor General, who opposed the amendment; and Sir R. C. Glynn, Lord Hawkesbury, Mr. Ryder, and General Tarleton, who supported it; after which the House divided on Mr. Sheridan's amendment.

<i>Ayes,</i>	-	-	-	-	-	53
<i>Noes,</i>	-	-	-	-	-	44

Majority - - - - - 9

Mr. Sheridan gave notice that he should on Thursday next, make a motion relative to the state of Ireland.

ARTHUR O'CONNOR.

Mr. St. John then called the attention of the House to the subject of which he had some time given notice; it related, he said, to the cases of two unfortunate, but innocent and respectable gentlemen, who had been accused, and one of them tried for high treason. If the delay that had taken place upon this subject, had afforded to gentlemen, on the opposite side of the House, any opportunity of investigating the matter, he should be very glad. He felt the question which he was about to submit to be of great, if not of equal importance to that of which his hon. Friend had given notice; but as the affairs of Ireland would be brought under discussion in the debate upon that motion, not a word upon that matter should drop from him. Although the two gentlemen, whose cases he was about to submit to the House, were natives of Ireland, not a word should drop from him that should bring into discussion the melancholy transactions that were every day, and almost every hour, brought before us from that country.

The question he had to submit might be considered in two points of view: First, How far the taking of these two gentlemen up was legal; and, if legal, how far the manner in which it was done was consonant to that merciful feeling which ever hitherto had accompanied the administration of British justice. In considering how far the steps which had been taken in this case were legal, it would be necessary for him to take a view of that fundamental law on which the personal liberty of every man in his Majesty's dominions rested, and also of a late act of Parliament which was commonly, but improperly, called, "The Suspension of the *Habeas Corpus*." The House would recollect, that the bill to which he last alluded, passed the House,

House in one day. It was notorious that on all occasions, Administration had at all times, and particularly in the present Session, laid great stress on the necessity of great exertions, and in consequence of our situation great power was given to Ministers; it was, at the time that this Suspension Act passed, said to be absolutely necessary; and great stress was laid on a supposed conspiracy existing in this country, and this was particularly insisted upon by a right hon. Gentleman (Mr. Secretary Dundas.) He had said "Wait but a few days, and you will have decisive proof that there is in this country, and extended over almost every part of it, a dangerous conspiracy." He wished Gentlemen to be particularly attentive to this part of the assertion of that right hon. Gentleman; they were desired to wait only a few days, and then they should see a conspiracy, the ramifications of which extended from one part of the country to the other. Gentlemen did wait, as the Secretary of State desired, until the trials came on at Maidstone; but so far were these trials from establishing that a conspiracy existed, that a conspiracy formed no part of the case on behalf of the Crown. The House was, therefore, called upon to examine with attention into the conduct of his Majesty's Ministers, so far as it related to persons who had been falsely charged with High Treason, they ought to examine into every case in which this extraordinary power was exercised. But first, it would be necessary for him a little to consider what really was the case with regard to the power granted to Executive Government, by the bill for suspending the *Habeas Corpus* Act. It was necessary to allude to what passed in the year 1796, relative to the Suspension of the *Habeas Corpus* Act. [Here he read a clause in that Act, by which it is proved, that no person imprisoned under that Act shall be sent even to any part of his Majesty's dominions beyond the seas, such as Guernsey or Jersey, or even to Ireland, and declared that such an act would be illegal, &c.] There was, he said, nothing in the last Suspension Act, which touched this clause; therefore these two Gentlemen, on whose behalf he was now speaking, were in the same situation with respect to this clause, as if the bill of this year had never passed. He would now state a subsequent clause, by which power is given to Government to apprehend persons in England who shall have committed crimes, and to enable the Crown to deal with them in a particular manner. This was the 16th clause in the act, and it was under this clause, he presumed, it would be contended that his Majesty's Ministers had not exceeded their authority. He would undertake to convince almost every Gentleman in that House, not only that Mr. Roger O'Connor,

one of the gentlemen on whose behalf he called the attention of the House, had not only not committed a crime in Ireland, but that it was hardly possible for him to have done so at the time he was charged with so doing; and when he had done this, he thought he should have done enough to make the House order, that the warrant of his commitment, &c. should be laid on the table.

He would take leave to go back to a period of about two years ago, when the French fleet was upon the Irish coast. At this time Mr. R. O'Connor, who was a gentleman of considerable fortune, had a house in the neighbourhood of the coast of Bantry Bay. At this time the inhabitants of that part of Ireland were celebrated for their loyalty and the spirit they manifested in preparing to resist the attack of the French.— Upon that occasion no person was more distinguished for his exertions than Mr. R. O'Connor; his house, which was near the road, was opened for the King's troops, and he gave them every support in his power; and it was very well known that Ministers spoke in the strongest manner, their sense of the brave preparations that were made on that occasion to resist the French upon the intended invasion. In April, 1797, it was suspected that in Ireland the principles of the United Irishmen were extending, and Mr. R. O'Connor was suspected by the Irish Government to have joined the United Irishmen, on account of which he came to live in England to put himself out of the way of being suspected. He was in England in June, and in that month the Lord Lieutenant of Ireland issued a proclamation, stating that a general forgiveness should be extended to all those who should take the oath of allegiance to his Majesty. Under the faith of that proclamation, Mr. R. O'Connor went back to Ireland, and like a faithful subject, took the oath of allegiance, and further, entered into a security for his good conduct in the penalty of 2000*l.* in case he should transgress. This was on the 19th of June. On the 11th of July he was apprehended and carried before the Privy Council, and he was informed, on high authority, that Mr. Pelham after that time told Mr. O'Connor that the charge against him was ill founded; he was liberated, and he returned to his own country house. Soon afterwards the Assizes took place. He was a gentleman at the Bar, and attended the duties of his profession at Cork; he was counsel for persons accused by Government, and fortunately for his clients, but unfortunately for himself, he was successful in defending them. The Assizes being over, he was apprehended again on precisely the same charge as that of which he had been discharged. He remained

in prison from September until the assizes in the Spring at Cork; when he was honourably acquitted; so honourably acquitted, that a right hon. Gentleman in the British House of Commons bore testimony of it; and yet just at this time a warrant was issued for the apprehending him again. The moment he was acquitted he got into a post-chaise, and came to London, and the eagerness with which he travelled was owing to the strong desire he had to see his brother. The first step he took on his arrival here was that of writing a letter to the Duke of Portland. Had he had any consciousness of guilt he would hardly have told the Secretary of State where he was, so that he might be apprehended; but, however, the consequence was, that he was apprehended for High Treason. As soon as he was apprehended, he remonstrated with the Duke of Portland upon the illegality of his arrest, and urged the ill state of his health, as also the state and condition of his children. He stated further, his anxious desire to see his brother, for whom he said, he might be a material witness. This letter, it must be presumed, was communicated to the Duke of Portland, but instead of any answer to it, he was ordered to be prepared to set off again immediately to Ireland. To Ireland therefore with the utmost expedition he went. After this a communication took place between him and Mr. Cooke, a Gentleman well known to possess a knowledge of the sentiments of the Government of Ireland. He was informed that Mr. Cooke did distinctly inform Mr. O'Connor as follows: "We have no charge whatever against you; there is no information against you; you wish to live in England, and that is all we wish." If these things were true, Mr. St. John said, if he had represented these facts correctly; and the House would give him credit for not stating them, but upon conviction of their truth; he would ask, was it or was it not sufficient to put the matter into a course of enquiry, whether the Secretary of State could or could not vindicate his conduct upon this occasion, for it certainly appeared by this account that he had grossly violated the clause he had already alluded to in the act of Parliament.

He then proceeded to observe upon what occasion it was that the last Act of Parliament, granting the Habeas Corpus had been passed in the time of Charles II. in the course of which he observed that the act was produced in consequence of the oppression of an individual by the Crown, and nothing could be more apposite to that case than the present one. Mr. O'Connor had already received by Mr. Cooke the assurance of the Irish Government, that there was no charge against him, but

another warrant was issued against him by the English Secretary of State (by what authority that warrant could be legally executed in Ireland he knew not) and under that warrant, Mr. R. O'Connor was brought back again to England. He knew it might be said, and he presumed it would, that the warrant was proper, and that by Mr. R. O'Connor coming to England, Mr. A. O'Connor might have the benefit of his testimony if it was of any use to him, but if that was the case, it was very odd that Mr. R. O'Connor desired to see his brother, and that instead of it, he should be sent over to Ireland; but perhaps his saying that he wanted to see his brother, and the apprehension that he could give material evidence for his brother, made an impression, and therefore he was sent back again to England. However, he remained here until after the trial of his brother, and then they were both sent back to Ireland.

So much for the case of Mr. R. O'Connor. He should now take notice of the case of Mr. A. O'Connor. He was very well known to have made a celebrated speech in the House of Commons in Ireland, on a very important debate upon the affairs of that country. He was afterwards a candidate at the General Election. He became suspected by the Irish Government. He was apprehended on the charge of High Treason. He was committed and subjected to rigorous imprisonment; and it came out on the trial at Maidstone, that he was actually twice fired at while at the window of the prison; after which he never cared to go to the window, to which he had before usually repaired for the benefit of the fresh air. But after this close confinement he was permitted to go out of the prison as an innocent man; for at last it appeared that there was in reality no charge against him. It was therefore fair to say that he was illegally imprisoned for six months; the charge exhibited at first against him was entirely unfounded. He was never tried; and therefore no man could say that he was legally imprisoned. He remained in Ireland for a while, and then came to England. Here he was taken up, tried and acquitted. The moment he was acquitted another warrant was served upon him; under that warrant he was brought up to London, and sent back again to Ireland. It was not for him to say that the Irish Government was convinced of his innocence; but there was but little doubt that no crime could be successfully alleged against him. But supposing that what he stated was partly unfounded, which he had no reason to apprehend, and supposing Mr. R. O'Connor to be within the clause of the *Habeas Corpus* Act, which empowered Govern-
ment

ment to send him to Ireland, upon the charge of a crime committed there, and that the other clause forbidding the transporting persons in this situation, did not attach upon him, which he did not believe, yet even in that case, he would rest much on the spirit which had appeared in the conduct of Government towards these gentlemen. They had been pursued with a vindictive spirit.

He knew it might be said it was competent to the Crown to lodge detainers against persons for High Treason, as well as in cases of common felony; but if this right had not been exercised since the reign of Edward the Third; a period of about 400 years, was it not enough to say that the conduct of administration had been marked with great harshness in this case? No man would tell him the contrary of that assertion, for the Law of England considered not only the accused, but also the accusing party with jealousy, and what was the case of these two unfortunate gentlemen, might be the cases of the most respectable persons in the kingdom the next day; not that he meant to insinuate that these gentlemen were not respectable; on the contrary, although he had not the honour to know much about them, yet from every thing he had heard, they were very respectable men. There was a case celebrated in the history of our country, which was presented to his mind by looking at the present one. It was the case of Lord Strafford. The Commons failed in their endeavours to convince the Lords of the guilt of Lord Strafford.—“Not guilty,” however, had not been pronounced by the Lords in that case—“Not guilty” had been pronounced in this. In the case of Lord Strafford, the Commons upon a discovery of a scrap of paper, brought in a bill of attainder against Lord Strafford, and upon that bill of attainder he was executed.—Here a defendant was taken up on a detainer, and was to be tried again; this was contrary to all the practice for the last 400 years. Would any man say that Government was to be excused for this rigour? Would any man say, that however alarmed the minds of Ministers might be at this moment, that they had more cause for alarm than had ever been felt at any time since the reign of Edward the Third? And yet that must be made out in argument before Ministers could be justified in this case. This was doing that which was never done in the reign of Henry the Eighth—that which was never done in the rebellion of 1715—that which was never done in the rebellion of 1745—that which was never done in the time of Charles I. or Charles II. nor of James II. times and seasons pretty remarkable for rigour; and yet it was thought fit to do it now: this placed the
conduct

conduct of administration in a very suspicious point of view. He moved no censure upon Ministers; he only asked for information; he only called for an inquiry. Had he or had he not stated a case which called for an inquiry? Among the various and important duties of that House, there was not one which called for more vigilance in the exercise of it than that of watching over the personal liberties of the subject. The Constitution had commanded them to be attentive to that point. Indeed it was the corner stone of the Constitution of this country, and without which no part of the fabric could stand. It was upon a conviction of this truth, that the Barons compelled King John to sign Magna Charta. It was from this time we were to date the history of personal liberty in Great Britain. The conduct of Ministers, in this matter, was contrary to the spirit of that glorious act. He then entered into a history of that noble charter, as also the subsequent spirit of the House of Stuart, and of their endeavours to do it away from time to time, of their constant and uniform attempts to rob the people of their rights and liberties, and of the struggles of the people to preserve them, which ended in a Revolution. He quoted the case of Jenks, who was imprisoned in the reign of Charles II. for a speech which he delivered in Guildhall, and afterwards the refusal of Lord Nottingham to grant an *Habeas Corpus*, which gave birth afterwards to the famous *Habeas Corpus* act. He observed that history taught us that tyrants never wanted Ministers, or even Judges, to support them, and that the people could have no security against their tyranny but in the spirit and vigilance of the House of Commons. He applauded Hampden for his noble resistance to the illegal demand of ship money; this was done according to the spirit of the people; and so in this case the House of Commons ought to interfere in behalf of two gentlemen who were, as he contended, illegally transported to another kingdom. But it might be said that these gentlemen were suspicious characters. That was no reason why the House should not be watchful, because under that pretence a bad precedent might be established, and under the authority of that precedent every man in England might be made to hold his rights only under the will and pleasure of the Crown. He therefore, upon every view of the subject, thought the House ought to institute an enquiry into this transaction. But as a right hon. Gentleman (the Chancellor of the Exchequer) had asked him how he wished to carry this measure on, he would relate the manner in which he proposed it. The first motion would be for a copy of all the warrants and authorities under which Mr. R. O'Connor had been taken to Ireland, and

and back again to England, and again to Ireland. The second would be a similar motion with regard to Mr. A. O'Connor. The third would be for a copy or extracts from all the communications of Lord Camden, taken upon oath, containing any account of charges against R. and A. O'Connor for High Treason. Such as were unsafe to communicate, Ministers would of course withhold. But it was no answer to say that if any part of the proceedings were illegal, they would be liable to a very severe penalty.

He then moved, That there be laid before the House a copy of the warrant issued for apprehending Roger O'Connor, Esq. and for taking him to Ireland, and for bringing the said Roger O'Connor, Esq. from Ireland to England.

The *Attorney General* rose to reply.---Of all the motions, he said, which, on a subject like the present, had ever been agitated, the motion just now made by the honourable Gentleman, was, as far as his recollection could carry him, the most hostile to the interests of public justice, and the least consistent with the justice and humanity that were due to the two gentlemen whose case it purported to state, that had, as yet, been submitted to the consideration of that House. In the view which he was about to take of the nature and tendency of this motion, it was his determination to proceed on general grounds, and not to touch on the particular situation of the two gentlemen in question. Indeed he felt it his duty to discuss the subject on general principles without any reference to either of the individuals to whom it came more immediately home; in the opening of his motion the hon. Mover stated, that it referred to the case of Mr. Roger and Mr. Arthur O'Connor. Of one of these gentlemen he (the *Attorney General*) confessed that he knew nothing; with certain circumstances relating to the other, he could not be unacquainted; for in his official capacity he knew him to have been arrested and tried on a charge of High Treason. This charge was brought before a jury, and the result of their decision was, that Mr. Arthur O'Connor was not guilty. The only observation that now occurred to him respecting that gentleman, and which must equally occur to every candid and unprejudiced man was, that this gentleman had been tried, and was acquitted. He must now beg leave to add a few facts, the consideration of which might enable the House to determine what conclusion they should come to on the present question. It is well known that Mr. Arthur O'Connor has been tried in a certain county in Great-Britain for a certain capital offence, said to be committed in that county.---At the conclusion of that trial, there being sufficient reason

reason to warrant and justify the act, Mr. Arthur O'Connor was again apprehended, and here he would say, that it was impossible to deny this position, that if there appeared sufficient ground for again apprehending him, and sending him to Ireland, charged with a capital offence, that was legally done by the noble Secretary of State who acted as a high magistrate; indeed the act of the Secretary of State of apprehending Mr. O'Connor again, and of sending him to Ireland, was on this ground *prima facie* a just and legal act. But the noble Secretary of State, it is said, did apprehend Mr. O'Connor, and send him to Ireland, which he could not do, unless charged with some capital offence committed in England. The provision of the bill for suspending the *Habeas Corpus* act did not permit it. The hon. Gentleman, however, did not establish that the operation of the act for suspending the *Habeas Corpus* was not applicable to the case of Mr. O'Connor; if so, was it not competent to both of them to try the question that was now submitted to the House, before the proper tribunal, the Courts of Judicature, and see whether they had been legally apprehended or not—either this was not suggested, or if suggested, he knew not how it was acted upon; the gentlemen in question, he knew, were sent under a legal trust to Ireland. It was his wish to treat the arguments and conduct of the hon. Mover of the present question with all possible respect. He was satisfied, that they both proceeded from the best principles and the best motives, but it was very hard indeed to reconcile that conduct with a due regard to the interests of public justice, with the justice that should be paid to the noble Secretary of State, or the justice and humanity which the actual situation of Mr. Arthur O'Connor and his brother so strongly demanded. And indeed, what does the hon. Gentleman ask for? He asks for warrants to be laid before the House, into the legality of which the House cannot enquire, in order that enquiry may be instituted in this House to prove that the conduct of the noble Secretary of State on the present business, makes him liable to a *præmunire*. But this was not an enquiry to be agitated in the House of Commons; it was a question that should be referred to its natural tribunal, the ordinary Courts of Judicature, and there decided; had it Parliamentary object in contemplation, this, no doubt, would be its proper place. But the hon. Gentleman does not so mean it. He merely intends the success of his motion should be auxiliary and introductory to bringing disabilities on the noble Secretary of State, which can only be decided and pronounced in the Courts of Law. The learned Gentleman then proceeded to expound the clause of the act re-

verted to by the hon. Mover, which clause was intended to prevent any injury being done to individuals, by sending them to foreign imprisonment. There was an evident difference between being justly charged with an offence, and being really guilty of that offence. An accused man was in the humane eye of the law innocent, until pronounced guilty by a jury; but in a legal view, it was not necessary that he should be convicted, though you might be perfectly justifiable in sending him to trial. The situation of a magistrate, would be arduous in the extreme, if not content with requiring from him a serious cause for apprehending a man, you would also impose upon him the necessity of trying and convicting the accused, and impute blame to him, if after the strongest evidence, the accused be not convicted. When there appears a serious cause for issuing a warrant, that is sufficient to make it legal, and such is the general usage; in that view, the legality of the warrants upon which the gentlemen in question were taken up, cannot be controverted, and they must in such case be presumed to have been legally sent to Ireland; but even were it not so, the present motion would be unfair towards the Secretary of State, and the cause of general justice, and was unfavourable to the very gentlemen in whose behalf it is introduced. For though we do not now know the nature of the offence, but only that the offence appeared such as to justify the issuing the warrant, then those who sent these gentlemen to Ireland are fully justified. Nothing is more familiar to us than to see persons tried in one county for an offence and acquitted, though, when afterwards tried in another, they have been convicted. This he might instance in the case of the man who robbed the Bath and London Mail coach; it was not rightly stated in what county the robbery had been committed, and therefore the charge in the indictment might not then be made out. The same might equally take place in cases of Treason; a man, for example, may be charged with an act of High Treason committed in the county of York, but when tried there, the evidence may not be sufficient to convict him, though it be afterwards proved that he had been guilty of the overt act in the neighbouring county. Thus it may be with regard to those gentlemen who have been sent over to Ireland; as to the details of the lives of these gentlemen, into which the hon. Gentleman thought proper to enter, it was not his intention to follow him, for surely that honourable Gentleman would think strangely of him, if concerning persons liable and likely to be tried, he should offer any observations that were not just; of the purity of the hon. Gentleman's motives he would again say that he was convinced; but he trusted that

he would not give him the trouble of negating his motion. He would here recommend to him to imitate the conduct of an hon. Member (Mr. Tierney) who, previous to the trials at Maidstone, had so very properly stopped all observations on what might be their issue; must the hon. Gentleman not see that when he calls for the warrants and extracts from the correspondence to which he has alluded in his motion, to show that the Secretary of State is liable to a *premunire*; does he not see, what should these papers be produced before the trial that is to take place, he would be publishing to the House, and to the country, the nature of charges, and the evidence that is to be brought forward in proof of them; and this before their case could go to an unprejudiced Jury in Ireland? Such conduct, he would again repeat, was injurious to public justice, injurious to the noble Secretary of State, and also to the justice and humanity that was owing to the prisoners; and on these grounds the motion must meet with his most decided disapprobation.

Mr. Tierney was very ready to applaud the liberal manner in which the hon. and learned Gentleman seemed disposed to treat persons under the delicate circumstances, in which the gentlemen who were the object of the present motion, were now placed. The learned Gentleman had very forcibly and very properly stated how materially it might injure such persons, prematurely to disclose the evidence that might be brought forward on their trials. But though he was ready to reprobate any measure that he perceived had this tendency; yet, if he rightly understood the drift of the present motion, he felt no hesitation in giving it his support; it was merely his object to enquire how far the conduct of the Secretary of State was consistent with the law of England; to this point only he was eager to confine the question; and when kept on this narrow ground, there would be no danger of digressing into discussions of an improper nature. He was particularly desirous of seeing how far the Secretary of State's conduct accorded with the *proviso* of the 16th clause of the bill already alluded to; if the offence, and that of a capital nature, was committed in Ireland, then no one could contend the propriety of sending them thither. But he wished to see whether it was clearly made out that such offence had been committed, and that the charge had been substantiated upon oath previous to the issuing the warrant; if such were the case, he for one would not impugn the legality of the noble Secretary's conduct. But of this he had much reason to doubt; if, however, it was proved that a legal charge was preferred upon oath either in England or Ireland, then he had no more to say, nor would he believe his honour-

honourable Friend would then persist in his motion. But how did the case now stand? How could Mr. Arthur O'Connor or his brother take any legal steps to procure redress? He made a direct application to his Grace the Duke of Portland, to know upon what grounds he was again arrested; but the only answer he received was a peremptory order to the Messenger to carry him off to Ireland, where his Grace was pleased to say, that Mr. O'Connor stands charged for High Treason. The satisfaction which he asked might surely be given without any detriment to public justice, or to the cause of the gentleman whose sufferings he could not but lament; it only went to ascertain whether there was information given upon oath against them. A direct answer to this question would stop his mouth, and not bar them from bringing their action hereafter against the Secretary of State. Both points might be made to accord and proceed very well; the House of Commons might now evince their anxiety for the liberty of the subject; and any future action against the Duke of Portland may still go on. He wished to know if this was unreasonable; if, after the trial at Maidstone, Mr. O'Connor was not allowed to consult with his counsel; is it probable that he shall now be able to transmit his instructions from Ireland; and, if chance should place him under the guard of the same sentinel, is it very likely that he is to escape his aim another time? At all times we ought to shew our jealousy in attending to the conduct of the Secretary of State. His situation differed widely from that of a magistrate. He was subject to the Crown; and might naturally be suspected of obsequious submission to the will and pleasure of the Crown. The House should also attend to the different situation in which Mr. O'Connor now stood: he was not now to be tried by an English but an Irish Jury, perhaps not by a Jury at all, but by martial law, which pronounced not only on fact, but from mere suspicion. But on this subject he would not now provoke discussion; all he would advert to was, the relative situation of the two countries as to the treatment of prisoners. By an act passed in Ireland, a man may be apprehended without any charge; but only at the pleasure of the Secretary of State, and confined without any reason during all the time the war may last—he by no means suspected it to be the intention of the present Ministers; but the time might come when, by a juggle between the two Governments, no man's life should be safe. Should Ministers have any troublesome man to thwart them here, their Irish colleagues would have only to say, transport him over to us, and you shall never again be troubled with him; if no charge of treason or suspicion of treason, has been substantiated against the O'Con-

more their situation is melancholy indeed, and may, perhaps, be the situation of a few who now heard him. He would now put it to the friends of the noble Duke, if what he asked for, was not necessary for the vindication of the noble Duke's character; and in asking this, he asked for no papers that could obstruct the cause of justice, or prejudice a jury—a compliance with that request would satisfy him; but if it was refused, and it appeared hereafter that the charge recited in the warrants had not been substantiated upon oath, as he apprehended was the case, then he stood pledged to impeach the Duke of Portland.

Mr. Nicholls conceived, that in point of law, the prisoners might either be tried in England or in Ireland, and if he was correct in that opinion, he wished to know why they were sent to Ireland?

The *Solicitor-General* said, that it seemed to be admitted that the Secretary of State could legally issue the warrant under which the gentlemen, whose cases was brought before the House had been apprehended, provided he had information upon oath charging them with High Treason. Whether the Secretary of State had that information or not, was not for his honourable and learned Friend, who had been called upon to say, or for himself to pronounce, even supposing they knew. If the Secretary of State had done wrong, he was answerable for his conduct. Whether they were sent to Ireland in consequence of information on oath, or not, they certainly must be charged in that country with some criminal accusation when they were detained. With respect to Mr. Roger O'Connor, he did not know; but he knew that Mr. Arthur O'Connor, when arrested immediately after his acquittal at Maidstone, was told by the Judge who presided at the trial, that he might apply for his *Habeas Corpus*, if he thought the proceeding illegal. It did not appear, however, that there was any disposition to apply for this redress. On the whole, he thought that no case had been made out for the House to act upon; on the contrary, it was clear, that by acceding to the motion they would do an injustice equally to the individuals, and to public justice.

Mr. Sturges said, that in what he had to urge on the present occasion, he felt the same disposition as his honourable Friend who made the motion, to abstain from all remarks upon the situation of Ireland at the present moment. It was objected to the motion that, to agree to it would be to bring on a premature discussion and trial of the merits of arrest of Mr. Roger and Mr. Arthur O'Connor, both to the disadvantage of these

these gentlemen, and to the prejudice of public justice. He contended, that he was surprised at these observations, when he considered the language with which it was couched. The learned Gentlemen contended, that it aggrieved Mr. O'Connor might have redress in a Court of Justice against the Secretary of State. If they were aggrieved, it was said they had an action against the Duke of Portland. In discussing such an action, however, must not all the disclosures take place, and inconveniences arise which were apprehended from agitating the question now? But this was not the thing now called for. All that was asked was merely whether the warrant by the Secretary of State was issued upon information on oath? The defence of the Duke of Portland against an action would certainly disclose all that was now asked; the same discussion, the same justification would be required from which so much evil was apprehended. The time of these gentlemen's trial in Ireland, if they were to be brought to trial at all, was now completely indefinite, so there could be no means of obtaining redress if the arguments of the learned Gentleman had any weight, and if the discussion was postponed from a fear of the mischiefs of disclosure. All the reasoning, therefore, about supposed inconveniences was completely frivolous, as if well founded they must equally be felt in the mode of redress which the learned Gentleman had pointed out. As to the point that it was to be presumed, that a Magistrate acted illegally, a very strong distinction existed between the case of a Justice acting in the ordinary discharge of his duty, and a Secretary of State, exercising the functions of a Magistrate for particular purposes. The degree of jealousy with which they should be watched was therefore very different. What then was the law in this case? He did not pretend to speak learnedly on the subject. He had once aspired to the profession, but he had not had perseverance nor relish for it sufficient to carry him on, and therefore pretended to no more than every Member of Parliament should know of the Constitution of the country. In order to authorise the Secretary of State to issue a warrant for the arrest of any person for High Treason, he conceived then that he ought to have a charge on oath of some act of Treason, or a charge on the oath of a credible person, stating some strong circumstances of suspicion. The whole question then merely was a question of fact, whether the Secretary of State had such good grounds for his warrant. It was said that it was to be presumed that the Secretary of State had such grounds. For his part he thought the presumption was the other way, and the whole of the case of Mr. Roger and Mr. Arthur O'Connor, *prima facie* contradicted such

such a presumption. What was the case of Mr. Roger O'Connor? He was acquitted upon three different indictments, comprehending every species of High Treason, and he was acquitted upon the whole. He then came to England, wrote to the Duke of Portland on his arrival, and the first answer he receives is a warrant for his arrest. He was taken up for examination but he was not exhibited. Instead of having an opportunity of applying for his *Habeas Corpus* he was deprived of the means of consulting with his Counsel. In this manner he was sent off to Ireland, and on the face of it, to far from a presumption of fairness, the proceeding had every appearance of being illegal. This, however, was not all; in a letter written with his own hand, Mr. Roger O'Connor states that Mr. Secretary Cooke told him there was no charge against him, and at this very moment a new warrant arrives from the Secretary of State here to bring him back to England; on his return to this country he again applied to the Secretary of State to be allowed to see his Counsel, and refused. Afterwards he was advised by Mr. Erskine, of whom it was impossible to speak without respect and regard, to make affidavit of his case; but his Solicitor was denied admittance to see him. Thus Mr. Roger O'Connor was deprived of the means of applying for redress had he been disposed to avail himself of that mode which the learned Gentleman had said was in his power. Certainly in supporting the motion he did not wish to call for all the information which had been stated it would be so improper to divulge. The information required had very properly been narrowed by his hon. Friend. On the present occasion he could not help observing, that the suspension of the *Habeas Corpus* act gave no new power relative to the arrest of suspected persons. It did not change the nature of the information on which a warrant was to be grounded. It only enabled Government to deprive the persons so taken up of their trial for a certain time. It was now, however, the practice to apprehend men on mere suspicion, rumour, or surmise, and to detain them on this ground. For such proceedings Ministers might apply for an indemnity, but certainly if they persisted in that practice, it would be the duty of the House to resist such an application. The spirit of free institutions might be destroyed and destroyed by those by whom they were administered, and he was afraid that while the letter was complied with, the spirit might be rendered of no effect. By throwing together a great number of persons in the same charge, the panel might be so narrowed as to give to the Crown the absolute nomination of the jury, and by swelling the list of witnesses, which

which the persons under accusation, were allowed ten days before trial, it might be impossible, to make those enquiries into their character which the safety of those accused persons might require. He should not now enter into other topics, especially those connected with the present situation of Ireland, because an early opportunity would occur of considering that subject. The only question which it was important to consider on the present occasion was, whether the Secretary of State had proceeded on information upon the oath of a credible person; or had probable grounds of suspicion on the oath of a credible person in issuing the warrant against Mr. Roger and Arthur O'Connor. The enquiry being so narrowed, he saw no possible inconvenience with which the motion could be attended.

The *Secretary at War* said, that he had very few observations to make on the present question, and in what he had to say, being totally unacquainted with the facts in the case, he came to the discussion better qualified to consider it, as he conceived it ought to be considered on general principles. With respect to the law on the case, he did not pretend to know very accurately how it stood. Thus was he, in his own mind most free from all those feelings which the knowledge of such circumstances might excite, and wholly prepared to enter upon the discussion of the general merits of the hon. Gentleman's motion. The hon. Gentleman (Mr. Sheridan) had narrowed the question, and that very properly, to two points of enquiry. He had asked, first, "Was information laid before the Duke of Portland upon oath?" To this he (Mr. Windham) would answer, "I do not know." And on the other point, "Supposing information to have been so laid, was the proceeding held upon it a legal proceeding?" he professed to be equally ignorant. Hence he would be understood to take the question up merely on general grounds. It had been contended that there was a ground of presumption to justify the enquiry. This was the most immediate topic in his contemplation. And as to the mode of enquiry, he did see that it was utterly unfit for any grave assembly to pursue. The question was general in its terms, and at least would lead to general enquiry; therefore if the House would agree to the motion it must go into a general enquiry; but, before he should consent to this, he must be convinced an enquiry was necessary. His hon. and learned Friend had, in the first place, insisted on the circumstance of the parties not having instituted any enquiry; and, 2dly,

ally, had put the question—Would not such enquiry rather do us injury to the parties than be of service to them? These points, he thought, had not been met with fairness; and he must concur in the opinion of his hon. Friend. A distinction had been urged between magistrates—Justices of the Peace, for instance, and the Secretary of State. He was not certain that in all instances Secretaries of State were right: there might situations occur when it would be more dangerous to grant an unlimited power to them than to Justices of the Peace. But a memorable remark had then occurred to him—that only a felon could escape from the magistrate, in case of deficiency of powers, whereas a traitor might escape the Secretary of State, and having eluded the search of the Executive Government, he might succeed to a certain extent in some dangerous plot for the overthrow of the Government. So that if on one hand, it was necessary for the full and unremitting discharge of his municipal functions, that the Justice of the Peace should be possessed of power; on the other, it equally appeared there was a necessity that the Secretary of State should, along with a given degree of power, enjoy a certain portion of confidence. With respect to what had been observed by his hon. Friend, of the present question requiring that the House should go into the circumstances of the case, he would not say that it necessarily went so far, but undoubtedly the manner in which it had been treated by the hon. Gentleman opposite, would lead to a very general statement, and as far as they had proceeded, they had attempted to do so in effect. Upon what had been said of the innocence of Mr. R. O'Connor, he should only remark, that it was possible for a man to be acquitted thrice without being thrice innocent. The frequency of trial was occasioned by the recurrence of accusations, and if that gentleman was as often acquitted as tried, such a succession of accusation was at least a new way of acknowledging his innocence. Gentlemen had often said much of delicacy, but did they forget that upon the question in discussion that evening they had shewn scarce any delicacy at all? It was brought forward in the crisis of a pending trial; and such had often been the charge of indecency brought against his side of the House. But if it was an object of consequence that the innocent should not suffer, it was equally important that the guilty should not go unpunished. With this remark he should have been contented to sit down, but that it had occurred to him the concluding

part of the hon. Gentleman's (Mr. Sheridan) speech, was somewhat singular. The hon. Gentleman had expressed his apprehension that the laws had been recently made too severe for offenders; that dealers in treason had been subjected to grievous restrictions, and the laws to prevent their successfully pushing their trade rendered infinitely complex. But he could assure that hon. Gentleman that the laws of treason were at that moment less severe, in proportion to the danger that existed, than they had been at the period of their first enactment. There did not then, as now, exist in every parish, in every county, nay, almost in every family, the emulraries of sedition, and the propagators of treason. There might be danger of the innocent suffering: "but (concluded Mr. Windham) he must be a poor traitor who can not go far to overthrow Government before Government can overthrow him."

Mr. Sheridan explained.

Mr. Jekyll rose to reply to the Secretary at War, he said, after the eulogium the right hon. Gentleman had so justly passed on the dispassionate style in which the debate had been conducted, he confessed he was not a little disappointed that the right hon. Secretary should have urged some points with a considerable degree of warmth and intemperance. He was equally surprized too, that as the right hon. Secretary had expressed in his exordium, a total ignorance both of the facts and the law, that he should have at all proceeded to discuss the question before the House, unless it was to manifest that even in that state of ignorance, a mind so luminous and refined, could still contrive to deliver a very ingenious and elaborate speech on the subject. But he was still more concerned to observe, that the right hon. Secretary had seemed to lament as he had too frequently done on former occasions, that the law of treasons, so wisely and rationally systematized by our ancestors, stood in need of extension at the present moment.

The right hon. Gentleman as well as his Majesty's Solicitor-General, had seemed to attack an expression of his hon. friend, who had brought forward the motion, wherein he had stated Government by the law of treason, to stand in the character of a suspected prosecutor. This Mr. Jekyll contended was strictly correct by the very tenor and spirit of those laws, which guarded the individual against the Crown, in making the proof of every overt act of treason to consist necessarily in the production of two witnesses, by allowing a

copy of the jurors pannel to the party prosecuted by the State. He urged strongly that a case had been made out by the hon. Mover of the question sufficient to call for an enquiry, and that though as in the situation of an ordinary magistrate, the Secretary of State was *prima facie* presumed to have acted legally, yet such a case on affidavit to the Court of King's Bench, would have been a ground to move for an information, and that, parliamentarily speaking, such assertions from an hon. Member grounded on his professed belief of the fact, was adequate to the effects of the affidavits producible on an application, such as he had alluded to in a Court of Justice.---The question was, did such a paper verified on oath to support the warrant exist or not? He could not agree that it was the duty of his Majesty's Solicitor-General, to be silent if such a paper existed. On the contrary, he owed it to the House and to the Secretary of State, to avow it if it existed, inasmuch as according to his judgment, a case had been made out calling for that explanation and defence. The right hon. Secretary had talked of delicacy and confidence, he knew of no confidence so high, as the confidence the people ought to have in their Representatives, they would watch over every extraordinary and unconstitutional attack upon their personal liberties. It had been said too, that Parliament was not the place for such an investigation, he would appeal to the chair, whether it was not a material part of the inquisitional powers of Parliament to watch over abuses of this nature, whether there are not by immemorial practice of the House, constituted at the opening of every session a Committee of Justice, which it was competent to any Member to put into action, if the House should be of opinion, that a case could be made out sufficient to call for the exercise of its judicial functions.---Mr. Jekyll concluded by asserting, that it seemed almost morally and physically impossible that Mr. R. O'Connor should have committed any act of treason subsequent to his late trials, acquittals and liberation in the sister kingdom, and that consequently the warrant issued without a legal charge. He was ready as any man to repose that degree of confidence in an Executive Government, which should regulate itself by strictly legal and constitutional forms, but he would as readily oppose a measure like the present, where a warrant had issued under a strong presumption indeed, that the charge against the party arrested had not been verified in that form, which

Mr. *Burton* thought there was but one question:---Whether gentlemen were sitting in a House of Legislature or in a Court of Justice? The hon. Gentleman had moved for certain warrants, and meant to ask the opinion of the House as to their legality. But this question ought first to go to a court of law, and this not having been done, was, he thought, a gross insult to the Courts, and an infringement of the Constitution. If the gentlemen alluded to were improperly apprehended there were many remedies within their reach. Four, he should mention:---1st, By moving for a *Habeas Corpus*; (A cry of hear! hear!)---Mr. *Burton* repeated the exclamation, and said, "I wish gentlemen to hear me." Another action for false imprisonment, and he was sure could such an action be maintained, the jury would give damages, and gentlemen well knew that these damages would be exemplary. The remaining two modes of remedy against magistrates and the Secretary of State were by information or indictment. It had been said, that the gentlemen were not permitted to see their Counsel or Solicitor; but would gentlemen not recollect, that in the presence of the Counsel on the trial at Maidstone, the Judge said, they might move for a *Habeas Corpus*. It was true, hon. Gentlemen had said, that this could not be done, it not being in term, but it was strange that gentlemen who had been or were then ornaments to the profession, should not know that a *Habeas* can as well be sued out in the absence of term as during its sittings. Mr. *Burton* concluded with observing, that whenever a case should be made out fit to go to a Committee of Justice, he should consent to that proceeding; but until then he could not agree to the motion, but must consider it as tending to turn into ridicule the serious proceedings of the House.

Sir *Francis Burdett* said, that it was impossible that Roger O'Connor could have been guilty of new treason between his acquittal and his coming to this country. Mr. Secretary *Cooke*, who must have been acquainted with the case, had likewise declared that there was no charge against him in Ireland. He was given to understand, that but for his interference in Irish politics, Government would not have treated him in the way they had done. The question before the House was a simple fact, whether the Secretary of State had issued the warrant on proper information.

Mr. *S. Douglas* said, he would trouble the House but with a few words: He thought the argument of Gentlemen in favour of the motion very ably refuted by those advanced by his hon. and learned Friend. One point urged by the former he deemed necessary to notice. They had said, in answer to his learned Friend, that if the mode pointed out by him for Mr. O'Connor to obtain redress was resorted to by that Gentleman, they would be compelled to disclose the grounds of proceeding, and to produce the warrant: on this head he begged to set them right. Any lawyer who thoroughly understood his profession, must know the extent of the power of the court, that if it saw the disclosures in question would tend to public danger, the court would prevent it. If the defendant in an action of trespass on the case should make it appear that those disclosures would operate against the public security, or against the interest of the State, it would interpose its authority; it could delay the proceeding, and need not call upon the defendant for his defence. Of course, that part of the argument of Gentlemen on the other side fell to the ground. He had one more observation to make. It was urged as a matter of triumph, that Mr. Roger O'Connor had been three times acquitted: although this may be a very fortunate consideration for the individual, the circumstance could throw no real credit on his character. Was it a favourable circumstance to the character of any man, that a grand jury of his country found three bills of indictment against him as true, and he should happen afterwards to be acquitted for want of evidence, or from any other cause?

Mr. *Sberidan* insisted it could not be to the prejudice of any man to be solemnly acquitted by a jury of his country on three charges made against him; the repeated acquittances must be an infallible, as well as a legal proof of his innocence—though with ideas of those who subscribed to the doctrine of “Acquitted Felons,” a different inference might be drawn from them.

Mr. *St. John* said, it was not his intention to have called for all the information which might have been received, but simply to ascertain the fact, whether or not any charge existed against Mr. O'Connor in Ireland? With respect to what a learned Gentleman had said of the discussion in any shape being an injustice, first, to the justice of the country; and secondly, to the Secretary of State, he observed, that it shewed too much. Such a defence was equally applicable to all abuses of power on the part of the Executive Government. The question of General Warrants in the beginning of the present reign was, he thought, not dissimilar to the present. The arguments
used

used then against the motion for censuring them as illegal were nearly the same, but with this difference, that those which were unsuccessful then were successful now. He could not help observing, that no notice had been taken of the important point of the date of the warrant upon which Mr. Arthur O'Connor was apprehended the second time; this, under all the circumstances of the case, was a material consideration. It was to be supposed that Government, who were masters of all the circumstances, and in possession of all the information, knew best in what place to try him and on what charge; and it was supposed, that those were selected upon which it was the most likely he should be convicted.

The House then divided,

<i>Ayes</i> , (For the motion)	-	-	-	15
<i>Noes</i> ,	-	-	-	104

Majority - - - 89

The other Orders of the Day were then disposed of.
Adjourned.

LIST OF THE MINORITY.

On the Hon. Mr. St. John's Motion, respecting Messrs. R. and A. O'Connor, June 11, 1793.

Joseph Foster Barham, Esq.	Stockbridge.
Hon. Edward Bouverie,	Northampton.
Sir Francis Burdet	Boroughbridge.
William Joseph Denison, Esq.	Camelford.
James Greene, Esq.	Arundel.
Nathaniel Jefferys, Esq.	Coventry.
Joseph Jekyll, Esq.	Calne.
James Martin, Esq.	Tewskury.
Sir William Mordaunt Milner,	York, City,
Joseph Richardson, Esq.	Newport.
Right Hon. Lord John Russell,	Tavistock,
Right Hon. Lord William Russell,	Surry, County.
Charles Stuart, Esq.	Bridport.
Benjamin Tarleton, Esq.	Liverpool.
George Tierney, Esq.	Southwark.

TELLERS.

Richard Brinsley Sheridan, Esq.	Stafford.
Hon. St. Andrew St. John	Bedfordshire, County.

HOUSE OF LORDS.

TUESDAY, June 12.

Lord Grenville presented the following Message from his Majesty:

G. R.

His Majesty, relying on the experienced zeal and affection of his faithful Lords, and considering that it may be of the utmost importance to provide for such emergencies as may arise in this critical conjuncture, is desirous that this House will enable him to take all such measures as may be necessary to disappoint or defeat any enterprises or designs of his enemies, and as the exigencies of affairs may require.

G. R.

His Lordship was then proceeding to move an Address of Thanks to his Majesty, for his most gracious communication; when the

Earl of Suffolk rose, and requested the noble Secretary of State to communicate to the House some idea of the object of the Message. The most alarming intelligence was, he understood, that day received from Ireland; and he was anxious that the noble Secretary should throw out some hint of its nature, that the House might be somewhat enabled to make up their mind on the subject.

Lord Grenville said, he did not conceive it to be his duty to detail the news that might arrive from Ireland or from any other country. As to the Message he had just delivered, he could not see any necessary connection between it and the affairs of Ireland; it was a Message that was usually brought down from his Majesty at the close of a Session, in order to intimate the necessity there was of enabling his Majesty, by a Vote of Credit or otherwise, to take such measures against his enemies as his Majesty's wisdom might judge expedient.

The Earl of Suffolk was surprised to hear of the House rising when the British empire stood in so perilous a situation. Was the country to be deprived of the advice of the grand council of the nation on an emergency so critical, *flagrante bello*, and when the most serious consequences were on the eve of taking place? It ill became Ministers who had brought all these calamities on the kingdom, unconstitutionally to shelter themselves under the king's name, and to refuse granting information to the House on a point that so nearly concerned them. They would be inexcusable indeed, if they advised his Majesty to prorogue Parliament at so critical a conjuncture. If such, however, was to be their advice,

vice, he would speedily introduce a motion that must bring the business to a point. Ministers were undoubtedly responsible for the advice they give his Majesty; for the system they had already pursued the severest responsibility would attach on them, and, as to their conduct on the present occasion, he must say that it partook neither of wisdom or propriety.

Lord Grenville denied that he had attempted to shelter himself under the king's name, in order to shrink for his responsibility as a minister. He should, however, persist in refusing the information called for by the noble Earl. Ministers, he allowed, were responsible for the advice they may have given his Majesty, but their duty did not bind them to disclose the nature of the advice they might hereafter give. With regard to when his Majesty should be pleased to prorogue the Parliaments it was not for him to take upon him to pronounce.

The question was then put, and the address was voted by their Lordships *nem. diss.*

The several bills before the House were forwarded in their respective stages.

The second reading of Sir Hyde Parker's divorce bill, was deferred for three months.

LAND TAX REDEMPTION BILL.

Lord Grenville then moved the order of the day for the third reading of the land tax redemption bill—On the motion for which,

Lord Holland rose, and said, that the bill that was now in its last stage, was of a tendency which it was his duty to counteract as far as he was able. The bill purported to be offered as a favour, but it would eventually prove a matter of compulsion to the land-holder. If it was favourable to his interest, it could not be advantageous to the funds; where then was the boasted benefit that was to result from it to the latter? The bill went moreover to perpetuate the present inequality in the Land Tax; and it came with a bad grace from the noble Secretary of State, who, in conjunction with his colleagues, had drawn such accumulated calamities on the country, to urge as an argument for perpetuating the tax, that there was no likelihood of our being relieved from its pressure. It was necessary to state, in vindication of what he had formerly asserted, that one argument of his in particular had been misconceived and misrepresented. He had not said that the operation of the bill would go to place all the

the landed property in the hands of the Crown, but had explicitly declared that it would go to make all the landed property of the country *pass through* the hands of the Crown. ---A noble Lord (Lord Auckland) had maintained that the bill gave the landed interest very advantageous terms of purchase, but it appeared to him in a very different point of view. For though the proprietor might buy at the low rate of 18 years purchase, yet when another Land Tax came to be laid on, it would make great additions to future taxes. Their Lordships were peculiarly interested in opposing the bill, as one principal cause of their independence was their landed property, which would be considerably impaired by the operation of it.

The time at which the bill was introduced he also found highly objectionable, when the weight of the Assessed Taxes and of other burthens deprived the landlord of the means of availing himself of its apparent advantages. If it was the wish of Ministers to relieve the country from its burthens, this was not the way to accomplish it, it was not to be effected by such measures as the present; it was not by long, complicated, and unintelligible bills---not by half measures, but by a serious determination to carry an extensive and efficient reform into practice; it was by a strict and rigid economy in every branch of the Legislature---by lopping off all superfluous places and unmerited pensions; and, above all, by an enquiry into the conduct of those Ministers, who, by countenancing the most extravagant profusions, and embarking the nation in wanton wars, had expended the money of their fellow subjects, and brought the nation into its present embarrassed state; it was by vigorous and salutary measures of this kind that the country was to be saved.---Under these impressions, and deeming of the bill as he did, he conceived it his duty to oppose its third reading.

Lord *Auckland* said, that the noble Baron having done him the honour to advert to some propositions, which he had stated in a former discussion of the bill, he felt it necessary to say a few words in answer. He was however, under some embarrassment, wishing on the one hand to shew attention and respect to the noble Lord, and perceiving on the other, that he it would be difficult for him not to abuse the indulgence of the House, by repeating the arguments, which he had already used, which he had spoken in support of the principles of the measure.

The noble Baron and others, who concurred with him in
resisting

resisting the bill, made it necessary to repeat to them again and again, that the measure is not compulsory; that it is strictly and merely optional to all persons, with a preference to the possessor of the estate paying the Land Tax meant to be liberated: with a farther preference to persons in remainder; and lastly on their refusal with an option to strangers, but subject to higher terms and conditions of purchase. There was no pretence therefore for declaiming against hardships and severities, supposed to result from the bill. No individual was compelled to purchase either his own Land Tax, or that of others. And if the Land Tax should be purchased by strangers to the particular estate, the course of payment would still be the same, and the owner would be subject to no new inconvenience.

If indeed, the bill could be shewn to be impracticable or greatly ineffectual, such an objection would have some weight. But the reasonings of the opposers implied no such apprehension; and in his fair opinion, the operation would be solidly and rapidly beneficial to the public, when the period shall have arrived to carry the bill into execution.—He would state a particular instance, in which he had some personal concern. He happened to be one of the Directors and Trustees of Greenwich Hospital: The landed estate of that most respectable institution, might be stated at (he did not mean to speak with precision, but to put a case) 40,000*l.* a year, including the mines. Suppose, in order to assume a round sum for argument, that the Land Tax paid by the hospital in different places, may amount to 1000*l.* a year. Can it be doubted, that in an extensive estate so circumstanced, parts might be selected without detriment to the remainder, and sold at forty years purchase? What would be the result? Either 500*l.* a year, might be sold to liberate 1000*l.* a year: or a 1000*l.* a year, might be sold for the same purpose; leaving in either case, a gain of cent per cent. And what was thus applicable in the instance of Greenwich Hospital, would be applicable with more or less advantage in every other corporate and private estate. And thus it was, that the proprietors of land would be benefited: that the purchasers of the tax, would gain an object eligible to them: and he had shewn on a former day, the great benefits resulting to the public.

When persons of strong minds use weak objections, he was apt to suspect that there was some latent motive: And something had dropt both in the present and former debate, which seemed to imply an apprehension, that the measure in question if carried into execution, might lead to a new and equal Land Tax. In fact, and in truth, an equal land tax was neither facilitated,

rated, nor embarrassed by the present bill. Whether an equal Land Tax would ever be a wise measure, the wisdom of future Parliaments alone could decide. In the mean time he heartily concurred with the noble Duke [of Norfolk] that the best of all measures would be a tax equally affecting every species of clear property and revenue. But this was the great *desideratum* in finance: he had taken occasion to mention it, as that, at the opening of the present Session. He had ever since looked towards it with a longing eye; but had not yet been shewn or been able to discover the means of effectuating such an operation.

The Earl of *Suffolk* declared he was decidedly hostile to the bill; he considered it as likely to produce the most injurious effects, and to militate against the improvement of landed property in general: his Lordship then went into a discussion of his own particular case, to shew how injuriously the bill would operate with respect to his estates, and tend to do away the effects of the improvements which he had made therein at a great expence. He said, when he came to his title he found his estate greatly encumbered, and that in order to enable himself to do justice to his family, he instantly took the measure of improving his estate, and rather chose to deprive himself of the conveniencies and enjoyments, that his rank entitled him to look up to till he had brought it round. That he kept no carriage at first, and persisted in this with firmness, in order to set an example to his children; that he had improved his estate very considerably, having expended nearly 20,000*l.* in improvements. But he could do so no longer in consequence of the late heavy taxes, and the present additional tax on the landholder. He had he said, the misfortune to have one of the largest houses in the Kingdom, which paid in taxes including the window tax, house tax, &c. between 300*l.* and 400*l.* a year. His estate he had no scruple to state the amount of, it was about seven or eight thousand a year, two thousand he had settled on his son, which probably he should not have done, had he been aware of the late heavy taxes, but he was not sorry for having done it, nor did he that day repent it, as he had the pleasure to see that his family wanted not an example of firmness, when occasion required it. His estate was also charged with jointures, provisions for younger children and other matters of deduction. How then could he go on improving his estate, or how was he to borrow money to purchase his Land Tax, when it was well known that from the low price of the Funds,

Funds, and other obvious causes, money was not to be borrowed? The landholders in general, would be affected nearly in a similar manner with himself. He thought that the monied men in the present circumstances of the country, ought to bear the burthen of taxation, as they were the only persons that reaped any advantage from the public distress, and were accumulating and realizing large fortunes, they ought therefore at the least to be taxed equally with the landholder.

The Duke of *Norfolk* censured Ministers for not bringing forward the measure at an earlier period of the sessions; had there been time enough for a mature discussion of it, the objectionable clauses he thought might have been ameliorated. The bill, he considered, as not bad in its principle—by it the public could get rid of a bad tax, and certainly at first, a most unjust one. He instanced the case of Marybone parish, which from having been built upon, and been well inhabited, paid little or nothing in the pound, compared to other parishes. He had he said an estate in the north, which in his father's time paid seven shillings in the pound, but as he was not obliged to pay double taxes, he got it lowered to four; he had however since fold the estate, as the produce of the rent per acre, did not to him answer the expences of taxation and cultivation. His Grace pointed out some glaring irregularities in the present arrangement of the Land Tax, and he entered into some short calculations to prove, that under the bill, taking the Funds in their present state, or supposing the interest of money not to exceed 5l. per cent. advantageous bargains might be made by individuals; but on a rise of the Funds, or a difficulty of procuring money to purchase, persons must make a losing bargain.

With respect to the noble Lord's idea of an advantageous bargain for hospitals or such like institutions, it might apply, as charities very seldom retained lands for ornament or pleasure; not so with persons of large landed property or their heirs; and in this view it was that he principally objected to the clause enabling tenants for life to sell without the concurrence of the remainders. He owned he should like to see a tax upon property in general, the Funds particularly. He thought, however, that stock in trade should not be taxed, neither should the property of merchants in some circumstances, as it would affect commerce and lead to disclosures highly injurious to those persons. He thought the bill ought not to be passed this session; it was one of too great importance, and embracing too great a variety

riety of details, to be rapidly carried through Parliament it would be better to let it lie over, and in the recess to circulate copies of the bill among the landholders in general, in order that their opinions of the measure might be ascertained. He would not, however, vote against it.

The *Earl of Kinnoul* said, he rose to give his reason why he should vote for the bill, under the conviction of its being calculated not only for the advantage of the public, but of private persons. With respect to the latter, it was perfectly optional; they would purchase or not as they found it their interests. He also observed, that the bill underwent an uncommonly long and minute investigation in the other House of Parliament, where it was decidedly opposed by the great body of the landed proprietors, and during the whole time not one petition or remonstrance from without doors, was urged against the measure, which certainly would have been the case if it was disapproved of: On these grounds he would support the bill.

Lord Holland spoke shortly in reply. He recapitulated his general arguments against the bill, and spoke particularly to one point touched upon by a noble Lord, namely, That the bill had undergone a minute and long investigation in the other House of Parliament. So far from this being the case, he said, that at least one third of the bill had been introduced after it was last committed, so that no regular opportunity was afforded for a discussion of that proportion of the bill.

The House then divided, when there appeared,

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The bill was then read a third time, passed, and ordered back to the House of Commons.

Adjourned till the next day.

HOUSE OF COMMONS.

TUESDAY, June 12.

Mr. Secretary *Dundas* presented the same Message from his Majesty, as Lord *Grenville* had presented to the House of Lords.

The Message being read from the Chair,

Mr. *Dundas* proposed an Address to his Majesty, thanking him for his most gracious communication, which was agreed to *nem. coh.* and the Message ordered to be taken into consideration the next day.

The bill for abolishing certain places in the Customs, &c. was read a second time.

The

The report on the Salt Transfer Bill was ordered to be brought up on Thursday.

Colonel *Gascoigne* deferred his motion respecting the Import and Export Duties.

Mr. *Wilberforce* wished that the Committee on the Slave Trade Restraining Bill might be deferred, on account of the absence of Mr. H. Thornton.

General *Tarleton* objected to its being deferred for any such reason, and moved that the House do now adjourn.

And after a short conversation between Mr. *Wilberforce* and General *Tarleton*, the House was accordingly adjourned.

HOUSE OF LORDS.

WEDNESDAY, June 13.

The *Duke of Leinster* gave notice, that on Friday next he would submit a motion to their Lordships, relative to the present alarming state of Ireland.

The bills on the table were proceeded through in their respective stages.

On the motion that the House do now resolve itself into a Committee upon the bill for abolishing a number of holidays, observed in the Customs, &c.

The *Lord Chancellor* left the Woolfack, and observed, that the more he examined the present bill, the more the difficulties with which it was incumbered grew upon him: in his opinion, therefore, it required to be more leisurely considered, and with that view he would now move, that the Committee on the bill be deferred for six weeks—Ordered. Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, June 13.

The bill for abolishing certain Offices, and for regulating certain Offices in the Customs, passed a Committee of the whole House, and the report was ordered to be received the next day.

COMMITTEE OF SUPPLY.

Mr. *Rose* then moved, that the various accounts that were laid on the table, relative to Exchequer Bills, &c. be referred to a Committee of Supply, and also that his Majesty's Message be referred to the same Committee, which being agreed to,

He then moved, that the House do now resolve itself into a Committee, to consider further of a Supply to be granted to his Majesty.

Majesty. The House having resolved itself into a Committee accordingly, and his Majesty's Message being read,

Mr. *Secretary Dundas* moved, that the sum of one million be granted to his Majesty, to enable his Majesty to take all such measures as may be necessary to disappoint or defeat any enterprises or designs of his enemies, and as the exigency of affairs may require.

The question being put,

General *Tarleton* said, that these measures were brought forward in common by the Minister of Finance; upon that however, he should say nothing. But, as we were in the hourly habit of hearing the most melancholy account from a neighbouring country, he thought some account ought to be given how the million was to be applied, otherwise the Members of the House would have nothing to say to their Constituents, but that they had voted away a million of their money; upon the same principle, million might be voted upon millions, and ten millions upon ten millions. He wished therefore to have some general information upon the affairs of another country before he gave his vote upon this motion.

Mr. *Secretary Dundas* said, the Committee must perceive it was totally impossible for Government to give any account of the expenditure of this money, the very terms of the motion implied uncertainty in that particular, for the words were, "as the exigency of affairs may require." As to what had been said of the affairs of another country, notice had been given of a motion upon that subject for the next day, and that was the time to discuss it.

General *Tarleton* said a few words.

Mr. *Rose* said, that Gentlemen could not expect accounts prospectively; they might call for accounts of services that were passed. The subject of this motion had no reference whatever to services that were passed; it was purely prospective, and therefore, from its very nature, incapable of being stated at present.

Mr. *Hussey* said, he did not mean to move for any account upon this occasion. He should not ask how this money was to be expended. He should, however, wish to know whether this one million was to be the whole of the vote of credit for this year. If so, he should be glad to hear it.

Mr. *Rose* said, there was no more to be proposed as a vote of credit, but the Committee would observe, as his right hon. friend (Mr. Pitt) had stated on a former occasion, three millions and a half were to be proposed to be raised on Exchequer Bills.

Bills. That vote he intended to move that night in a Committee of Ways and Means.

Mr. *Flint* observed, that the sum now proposed as a vote of credit was only one half of what the Chancellor of the Exchequer said would be necessary when he opened the budget, and therefore he took it for granted that the Chancellor of the Exchequer was either then strangely out of his calculation, or he would come again for another vote, but he should like to have some information upon that matter.

Mr. *Rose* said, it was not intended to ask for more in the course of the present session; but he did not pledge himself, nor did he conceive his right hon. Friend would like that any person should pledge for him that this sum at all events would be enough; all he could say was, it was deemed sufficient at present, but from the nature of the thing no man living could pledge himself to the sufficiency of the sum. It was supposed to be so at present; and his right hon. Friend (Mr. Pitt) had declared he was at present of that opinion, and therefore no more was moved for.

Mr. *Baker* said, that as there was a doubt with many Gentlemen that the sum of one million now proposed would not be sufficient, he should wish to know whether there was any irregularity in his proposing two millions instead of one. If not, he should be inclined to do so; for the service was a great one to which this money was to be applied—it was against the efforts of the common enemy wherever these efforts might be met with. If, therefore, there was no objection in point of form, he should move for two millions instead of one.

Mr. Secretary *Dundas* said, there was no objection to the motion in point of form; if his honourable Friend chose to introduce it, he certainly might do so with perfect regularity; but the Chancellor of the Exchequer had lately said, he thought one million would be sufficient.

Mr. *Baker*, then moved for two millions instead of one.

This produced a short conversation.

Mr. *Tierney* thought it an extraordinary thing that any individual should propose in the House of Commons to vote to the crown, by way of credit, without any knowledge how it was to be applied, double the money which the crown itself asked by its organ, the Chancellor of the Exchequer.

The Secretary at War supported the proposition of Mr. *Baker*, and Mr. *Baker* defended it himself also.

Mr. *Wilberforce* applauded high the public spirit of his honourable friend (Mr. *Baker*), but thought, under all the circumstances—

650 WOODFALL'S PARLIAMENTARY REPORTS. [Continued,
circumstances, it was better to abide by the vote proposed originally.

Mr. Secretary Dundas was also of the same opinion; and perhaps the precedent might not be the most agreeable, if his honourable friend's motion was adopted; he therefore wished him to withdraw it.

Mr. Simeon also thought the Committee would do wisely in adopting the original motion instead of the amended one.

Mr. Baker then withdrew his motion, and the motion of Mr. Secretary Dundas was put and carried.

The House being resumed, the report was ordered to be received the next day.

The House in a Committee of ways and means, three millions and a half were voted to be raised on Exchequer bills.

Report ordered to be received the next day.

Agreed to go into a Committee of supply and of ways and means on Friday.

STATE OF IRELAND.

Mr. M. A. Taylor said, he wished to ask a question of Gentlemen on the other side, but he did not do it with any unpleasant view. Notice of a motion of great public importance had been given by an honourable Friend of his; it was on the state of Ireland; it stood for the next day; they were all deeply involved in that question. He wished to know whether there was any chance of the presence of the Chancellor of the Exchequer upon that occasion? if there was not, he should be very desirous that his honourable Friend should waive it for the present, and let it stand for a day on which the Chancellor of the Exchequer could be present. He did not mean to say this from any party or unworthy motive, and he was sure the House would give him credit when he said so.

Mr. Rose said, he gave the honourable Gentleman full credit for the purity of his motives in putting the question. He could not state with any degree of certainty whether his right honourable Friend would be able to attend or not; he had hitherto been absent from want of health.

Mr. Taylor said, he felt the importance of the matter, and the propriety of the presence of the right honourable Gentleman at its discussion; and therefore, if his honourable Friend waived his motion, he should be very glad.

NEWS-PAPER BILL.

The Attorney General then moved the order of the day upon the

the newspaper bill, which was, that it be read a third time. The order being read,

He moved that this bill be now read a third time.

Mr. *Jekyll* said, he thought it his duty to oppose the third reading of his bill; and he thought it necessary to say that he was actuated upon this occasion with no other motive than that of a constitutional jealousy of every thing that appeared to be an attack upon the liberty of the press. He complimented the Attorney-General for the candour which usually accompanied his official conduct, but conceived he had taken a delusive view of the effect of the present bill. The liberty of the press was in its nature so delicate, that the House ought to be extremely cautious before they assented to any measure that could possibly diminish that inestimable blessing. It was now upwards of a century since any thing was done to touch the liberty of the press. Gentlemen would recollect the abominable jurisdiction of the star chamber, and the power of the licenser of the press. Gentlemen would recollect also, that such abominable jurisdiction was contrived by the long Parliament, and enforced during the two detestable reigns of King Charles II. and King James. After the revolution, these regulations continued only six years; he believed an end was put to them in the year 1694. It appeared that more than a century had now elapsed since any regulation was attempted on the press. He knew the Attorney-General said that this was not an attack on the liberty of the press, but was only a regulation of the press. It created at least a facility in prosecutions against the press, and that of itself was an objection with him, for it appeared to be the commencement of a system tending to destroy the freedom of the press, and with that freedom, all public liberty. The censorial power of the press was the great guardian of British liberty, and a celebrated author (Mr. De Lolme) had assigned that as the cause of the freedom of the people of England. He thought that this bill would make men of property and respectability retire from newspapers altogether, and they would fall into the hands of men of desperate fortune and low character; the consequence would be an increase instead of a diminution of the licentiousness of the press. To destroy the freedom of the press was to take away its noble spirit, and with that spirit all its virtue; nothing could remain but meanness, servility, and vice, and licentiousness would increase in proportion as independence was diminished. Newspapers would fall into the hands of the dregs of the people.

We should have had bills on brown paper every day instead of an useful and well regulated newspaper.--Besides, this bill would render innocent persons liable to prosecution merely because they were proprietors, although they had no share in the management of the publication. Upon these grounds he was bound to make his stand and oppose this bill as being an infringement upon that liberty which was handed down to us as a sacred blessing by our ancestors.

The *Attorney General* said, that his object was, and so he trusted the operation of the bill would be, to restore the liberty of the press, in contradistinction to, and in diminution of, the non-responsible licentiousness of the press; and it was because some persons were, on account of its licentiousness, less attached to the liberty of the press than he wished them to be that he brought in this bill. The true liberty of the press was this; that every man may publish what he pleases, but he should be responsible to the public for what he published. Any man might make fair and free remarks on public men and public measures, and such men might carry on their newspapers after this bill passed as well as they did before it was thought of; it only secured to the public that which they had a right to call for, the appearance of a responsible party in a Court of Justice so as to be amenable to law. The learned Gentleman had said that this bill would throw newspapers into the hands of the dregs of the people. It would do no such thing; it had for its object that they should not continue in the hands of the dregs of the people, and persons who were not visible to the persons whom they were constantly calumniating in private life as well as in public character. He had so frequently had occasion to explain himself upon this bill, that it was not necessary for him now to detain the House any longer upon this subject. He felt personal obligations to every member who had given his attention to it. He could now only say, it was on the principle of the liberty of the press he had brought in this bill. It was an attempt to restore the liberty of the press, by making those, who injure the characters of others in newspapers, answerable for it in the same way that every other man was answerable.

Sir F. *Burdett* said, "the liberty of the press is of so delicate a nature, and so important of that small portion of liberty which still remains to the country, that I cannot allow the bill before the House to pass, without giving it my opposition, and stating the objections which principally occur

cur to my mind upon the subject. I am so decidedly hostile to the general principle of this bill, or of any bill infringing in the slightest degree upon the liberty of the press---a blessing I am the more jealous of, as it is so peculiarly our own---and I am at the same time so convinced that the press at present labours under greater restraint than is necessary for the suppressing of licentiousness, or even than is consistent with perfect freedom, that I shall not take up the time of the House by entering into a detail of the bill, but content myself with generally stating my reasons for objecting to it altogether. I am the more alarmed at this bill, because it admits of, and has met with, much specious argument in its support---such was all that train of reasoning concerning the necessity of securing individuals against the shafts of private calumny; whilst the real object lay concealed---the suppressing of those free animadversions upon public men and public conduct, which is the only check we now have upon our rulers, and which controuls in some degree the actions of the most depraved of mankind. "*Audivit, Tiberius, probra quæis lacerabiter, atque percussus est;*" and which is the only prop we have left to sustain the tottering fabric of the rights of the people.

Sir, this measure comes from the King's Attorney-General---a quarter from whence any measure which proceeds, more especially one touching the liberty of the press, should by Englishmen be beheld with an eye of jealous suspicion---a rock, says Lord Bacon, speaking of that situation (and he, I take it, was no ill judge of these matters), upon which every virtue of humanity has so frequently split. It is, therefore, the offspring of a very doubtful parent, ushered into the world under most unfavourable auspices, and introduced at a time rendering it particularly an object of well-founded suspicion; for, if ever there was a time in which it might reasonably be supposed Government would be desirous of keeping its conduct from public investigation, the present moment is that very time. I do, therefore, Sir, regard this bill, on every account, on account of its general principle, on account of the source from whence it springs, on account of the circumstances under which it is brought forward, as demanding our most vigilant, earnest and anxious attention.

Sir, the law is already armed with more than power sufficient for punishing the errors and restraining the excesses of the press; but a government aiming at tyranny will never think the press enough under controul, until it is able to commit every outrage without the fear of reproach. To

commit injustice without hearing of it, is the grand *defideratum* and key-stone of tyranny; and thus every Government aiming at that object, never fails to complain bitterly of the licentiousness of the Press, and of the difficulty of coming at those persons, the proprietors of public prints, who, if not venal, are marked out as its victims.

Sir, a good Government, a free Government, has nothing to apprehend, and every thing to hope, from the Liberty of the Press: it reflects a lustre upon all its actions, and fosters every virtue. But despotism courts shade and obscurity: it dreads the scrutinizing eye of liberty. The Freedom of the Press, which pries into its secret recesses, discovers it in its lurking-holes, and drags it forth to public detestation. Sir, if a tyrannically disposed prince, supported by an unprincipled, profligate minister, backed by a notoriously corrupt parliament, was to cast about for means to secure such a triple tyranny, I know of no means he could devise so effectual for that purpose as the bill now on your table.

Sir, that great man, with whom the minister seems to be condemned to form a striking and everlasting contrast—his father—great let me call him; for his memory I shall ever revere—for he was a true friend to the liberties of his country. Sir, he has left his opinion upon this subject, for the good of his country, upon record. When pressed, by the sycophants of power of his time, to allow a measure of this nature to be brought into parliament under his administration—when urged to it on the score of suppressing the calamities which, he was told, issued from the press against his own reputation—“No!” said he, with a dignity of soul that characterized the man; “the press, like the air, is a chartered libertine.” But, Sir, it seems the puny chastity of the son’s character will not admit of any libertine excess. His notions of public good are different from those of his great progenitor.

Sir, the present Ministers are in the habit of scaring us into a support of their measures, by holding out to us the dread of revolution, whilst themselves are the greatest revolutionists, the only revolutionists, from whom we have any thing to apprehend—from whom we have suffered much, and have still more to dread. Sir, they have nearly completed a great revolution, not in favour of, but against liberty. Need I remind you, Sir, of the unconstitutional measures (for this is only one of many) they are daily introducing into this House? Need I mention the wicked practices which prevail, which have arisen, and been matured, under this administration—contrary to the old laws, customs and usages of this once free and happy country?

country?—Sir, there is one enormity which has so frequently excited my disgust and indignation, that I cannot forbear mentioning it upon this, and indeed I shall be careful to mention it upon every occasion. It is the infamous practice, by which the whole Law of Imprisonment is altered, of sending men to those basiles which disgrace the face of the country—those private prisons where, under the pretence of regulations, punishments are inflicted upon men, as illegal as they are cruel and unjust. And what are these regulations as they are called? To keep men in dismal, heart-sickening solitude—to feed them upon bread and water, and that scantily too—to doom them to hard labour, an indefinite term, exacted by stripes, at the will, perhaps at the brutal caprice, of a merciless jailor!—If this is not tyranny, I should be glad to see any man stand up in this House, and define what tyranny is. Why, Sir, it is natural for such a Government to complain of the licentiousness of the Press. Sir, this is part of that revolution which has been brought about, and which the present bill goes to secure—the seeds of which were sown as early as the accession of the present King to the throne—the effects of which the great Lord Chatham wisely foresaw, and boldly forewarned his country: but, Sir, unhappily, ministerial artifice and corruption blinded the nation then, as it does now; and there is too much reason to fear it will end, as that great statesman foretold, in the subversion of our old free Constitution, and in the establishment of a German Government. When I say a German Government, I hope it will not be looked upon as a mere term of invective; for I firmly believe there is a plan for governing this country, not according to its old liberal maxims as established at the revolution, but according to a new system, or rather to a renovated system, repugnant to every principle of liberty and of justice. Sir, the minister proceeds warily, and with caution, in the execution of his plan: he never attempts to add another link to the chain, until the preceding one is riveted firmly upon us. It behoves us to have no less circumspection, to counteract his design. Above all, it behoves us to keep the press free—to watch it with all the anxiety which a lover bestows upon his mistress—to be fearful lest the breath of heaven should visit her face too rudely—to be a little blind to her faults, and exceedingly kind to her virtues—but, at all events, not to suffer the slightest attack upon her person.

Sir, this bill appears to me the more dangerous, because it does not, at first sight, and upon a superficial view of it, present those traits of harshness and severity which create disgust and

and alarm. A direct, open, violent attack upon the Liberty of the Press, even in the actual servile condition of the public mind, might possibly rouse some degree of energy and spirit to oppose it: but this measure saps and undermines; and, from not wearing the garb of violence, like the silent lapse of time, is so much the more certain in its effect. But I do hope and trust my countrymen still retain enough of that old plain English common sense, not to rectify as food that which will inevitably be converted into poison.

Sir, seeing in this measure the most extensive mischief, and no adequate good possible to result from it—relying upon the good sense, spirit and well-founded jealousy of our forefathers upon this subject, expressed in all their actions, and in the words of many of the wisest and greatest amongst them—I shall be content to guide my conduct upon this occasion by their judgment, and consequently shall give my vote against a bill touching the Liberty of the Press, and deriving its origin from the Attorney General to the Crown.

Mr. Ryder said, he was not at all surprised that a gentleman who considered every measure of Government taken, he would say for the preservation of liberty, as hostile to freedom should oppose this bill; but he hoped the House would not be so far misled as to forget what this bill was. It was not, in his opinion, possible for any man, who looked at this bill coolly, to think it had any tendency against the liberty of the press. He would ask, was there any thing in the bill that had the smallest tendency to making that criminal, which was not by the law of the land criminal already? Did it vary the manner in which libels were to be tried? As to the tyranny of administration against the liberty of the press, he conceived, that if ever there was an administration that deserved a contrary description, the present was that administration. Was it forgotten how they supported the bill of a right hon. Gentleman (Mr. Fox), whom he did not see in his place, for enlarging the power of juries? This bill was only to prevent the evasions of the proprietors of newspapers, from being answerable for what appeared in their papers. They were always answerable by law, and this was only to compel them to come forward, and abide the event of a fair trial in a Court of Justice. This was not only the law of England, but was also the law of all countries, under all Governments, ever since the press was invented. This bill said nothing whether a man should be deemed guilty or not, it only provided that he should come forward and stand trial.

Mr.

Mr. *Sheridan* said, he heard nothing in favour of this bill that in the least tended to change his opinion, which was—That it was bad in principle. The right hon. Gentleman said, there was nothing in this bill made criminal that was not so before : if so, he should be glad to know what was the use of the bill? Government pretended that they could not find responsible men about newspapers ; but that was a mere pretence. They said they could not find the editor of *The Courier* ; but that was not true---there was always a responsible person concerned in that paper, and his name and address must be at the Stamp Office.—The bill, as originally brought in, made every person who had a share in a newspaper, equally liable to prosecution with its conductor, but the monstrous absurdity of that struck every body, and it was altered ; if it had not, shares that had been bought for two hundred pounds would not have sold for two-pence. He opposed that part of the bill, and it was altered. The first object of the bill, he believed, was (such certainly would have been the effect of it) to throw all the newspapers of this country into the hands of Government. Such, he was afraid, would still be the effect of it. Persisting in this measure only proved there was a systematic design to put an end to the liberty of the press altogether. The visible publisher of a newspaper had always been considered as the person who was answerable in a Court of Justice ; but now a different plan was adopted. He objected to that ; there were many who contributed to the publication of very excellent works, that were extremely useful to the public, and yet who had good reasons for concealing their names ; and what was the harm of that concealment ? There would always be a publisher easily brought forward to answer all the purposes of security for what was published. He then proceeded to shew that this bill tended to do away the spirit of Mr. Fox's bill ; and also that parts of this bill were inconsistent with each other ; and lastly, he objected to it, because it reversed the order of judicial proceedings, by casting the *onus* on the person accused, instead of the accusing party.

The *Solicitor General* said, the hon. Gentleman did not understand the bill. It was meant originally that all proprietors of Papers should be included, but upon representations being made to his learned Friend, he had altered his intention. Gentlemen indulged themselves in insinuations that Government were destroying the Constitution of the country ; after the language that had been held in that House, he should leave it to the

the House to determine to whom that charge could be fairly applied. The Solicitor General then alluded to the paragraph in the *Courier* respecting French prisoners, which he said was one of the most atrocious and abominable libels.

Mr. *Sheridan* wished to know whether the Editor of a Newspaper, if he could prove that the objectionable paragraph had been taken from a French Paper, should be liable to the penalties enacted by the bill?

The *Solicitor General* replied, that if the paragraph contained a libel of that atrocious nature which went to bring into contempt his Majesty's person and government, the Editor of the Newspaper publishing such libel, should, no doubt, be liable to the penalties in the bill, whether he proved that he took it from a French Newspaper or not.

Mr. *Wigley* contended, that the principle introduced in the present bill was far different from that of the act that already existed.

Mr. *Wilberforce* could not help expressing the strongest disapprobation of the manner in which the present bill was opposed, and of the language and tone into which that opposition had been expressed. He felt particularly shocked at the language used by an hon. Baronet (Sir Francis Burdet) and he felt the more sore at the intemperance, as from the very liberal principles usually maintained by that hon. Baronet, he was likely to express the sentiments of a large class of the community. After the extreme solicitude which the hon. Baronet betrayed concerning the nature of the bill, he could not but be surprised at his capricious and irregular attendance, when the bill was discussed in its other stages, and where the hon. Baronet might have more properly offered his objections, and where they might be more easily removed. These objections, therefore, and the glowing language with which they were enforced, must be intended to have their influence and operation elsewhere than in that House. It was with distress and anguish of mind he was compelled to make these observations; but he was still more distressed at the language he had heard, the mischievous tendency of which has necessarily called them forth.

Mr. *Robert Thornton* said, that no reasonable precaution should be omitted to curb the licentiousness of the Press. We have witnessed the horrors of the Revolution in France, and we have now to deplore similar horrors from the Rebellion that rages in Ireland. But what has been their principal source? Was it not a scandalous and abominable abuse of the liberty of the Press? He seldom rose to trouble the House, and if he now spoke with warmth, it was because he was deeply concerned

cerned at the language that had fallen from certain Gentlemen this night, particularly from an hon. Baronet. He hoped, however, that they meant well; but if they did, their sentiments differed very widely indeed from his. He was sorry they did not attend to the serious complection of the times. The times were alarming indeed, and sufficient to make even the stones to speak.

The question was then put, that the bill be read a third time, and agreed to without a division.

Mr. *Sheridan* proposed to amend the bill, by leaving out the two clauses which punished, as libellous, any extracts that were pretended to be made, or were really made, from French Newspapers, if they had a tendency to bring into contempt the person and government of his Majesty. This amendment he proposed, because the clauses appeared to him to be useless.

The *Attorney General* said, that he had maturely considered every clause of the bill, and could not bring himself to think that any of them were useless.

Mr. Serjeant *Adair*, the *Solicitor General*, and Mr. *Sylvester Douglas*, opposed the amendment.

Mr. *Jekell* and Mr. *Tierney* supported it.

Mr. *Tierney* particularly adverted to the hardships to which the Proprietors of Country Newspapers would be exposed by the present bill; they were well known to copy their foreign intelligence from the London Newspapers, nor was it in their power to produce the original journal from which that intelligence might be extracted.

Mr. *Sheridan* persevered in observing, that if the *Attorney General* would but take those clauses into more mature consideration, his candour would no doubt incline him to relinquish them. He would, therefore, move that the debate on this question be now adjourned.

This motion was opposed by the *Attorney General* and Mr. *Ryder*, and the question being put upon it, the House divided—

Ayes	-	-	-	9
Noes	-	-	-	44
				—
Majority	-	-	-	35

The Bill was then passed, and ordered to be sent to the Lords.

Mr. *Baker* intimated his intention to move that the standing order, excluding strangers from the gallery should be enforced the next day, when Mr. *Sheridan's* motion respecting Ireland was to come on.

Several resolutions respecting Scots Distilleries were moved by Mr. *Douglas* in a Committee of the whole House, and the report ordered to be received the next day.

On the motion of Mr. *Thornton*, for going into the consideration of the Slave Trade Restraining Bill, General *Tarleton* moved that the House be counted, and there being only eleven Members present, an adjournment took place of course.

HOUSE OF LORDS.

THURSDAY, June 14.

The several bills before the House were forwarded in their respective stages.

Among these, was the commitment of the Misdemeanour Costs Bill; and Lord *Walsingham* having taken the chair,

The Lord Chancellor called the attention of the Lordships to the provisions of the bill, particularly to that which restricted the payment of costs to cases decided at the county assizes—this restriction, he thought highly improper: The provisions of the bill should extend to prosecutions decided upon at Quarter Sessions, &c. He pointed out to the Committee the many inconveniences which would arise to the public, by the measure of confining the payment of cost to cases decided at the assizes; and concluded by proposing an amendment which obviated this objection, viz. To leave out that part of the first paragraph, beginning with the words, "His Majesty's," and ending with "Goal delivery," and inserting in the room thereof "The Court." His Lordship also added, that the bill involved some points which require a very mature deliberation. In this view, he thought it would be better to postpone the bill for the present session; and intimated his intention on a future stage of the bill, to move to defer its consideration for six weeks. In case the House should agree with him in that point, he thought it would be advisable to circulate copies of the bill through the several counties, in order that the opinions of those most conversant on the subject might be taken.

His Lordship then moved his amendment as above stated, and on the question being put,

The Earl of *Carnarvon* observed, that he agreed in what had fallen from the noble and learned Lord. One provision in the bill he was particularly hostile to, that which ordered the payment of the costs to be made by the Treasurer of the county. This regulation he deemed unjust—first, because as the public would be benefited by it, the expence should be de-

frayed

frayed by the public treasury ; and, secondly, because, by paying them out of the county rates, the burthen would fall exclusively upon the landholders. It was his intention to have proposed an amendment to this effect ; but as the learned Lord proposed to move to defer the consideration of the whole measure to a future Session, such a proceeding on his part was rendered unnecessary.

The amendment proposed by the Lord Chancellor was then agreed to by the Committee, and the House resuming, the Report was ordered be received the next day.

A bill was presented by Mr. *Hobart* from the House of Commons, to enable his Majesty to make a certain provision, for Subaltern Officers in the Militia in time of peace. Also, a bill to authorize the Manufacture of Gold below a certain standard.

Two private bills were brought up, which, with the others, being read a first time, the House adjourned till the next day,

HOUSE OF COMMONS.

THURSDAY, *June 14.*

Mr. *Hobart* brought up the reports of the Committees of Supply, and of Ways and Means of the preceding day. The resolutions were read and agreed to.

A message from the Lords informed the House, their Lordships had agreed to several bills.

Lord *Keith* presented a petition from the Freeholders and others of the county of Stirling, setting forth the desire of the petitioners to strengthen the hands of Government, to shew the enemy the resources of Great Britain ; suggesting the propriety of imposing a direct tax on all property, real and personal, and praying that a bill may be brought into Parliament for that purpose. Ordered to be laid on the table.

Mr. *Rose* moved, that the House do the next day resolve itself into a committee of the whole House to consider of the duty of stamp upon all vellum, parchment and paper ; and on the certificates on licences for wearing hair powder. Ordered.

The bill for the administration of assets in cases of probates being granted to executors abroad, &c. was read a third time and passed.

The bill for imposing a duty of Twopenny Scots upon every pint of ale, &c. in Edinburgh was read a third time and passed.

Mr. *Baker* then moved, that the standing order relative to the exclusion of strangers be read; which being done, strangers were ordered to withdraw, which they did immediately.

As strangers were withdrawing, Mr. *Abbot* observed, that if this order of the House was to be enforced, it ought to be done effectually. If any Newspaper, then, should presume to publish any part of that night's debate on the state of Ireland, it was his opinion that it would become the House to take notice of it, as a high breach of their privileges.

Mr. *Sheridan* then, after a very able speech of an hour and a quarter, moved, as we understand, for a Committee of Enquiry into the causes which produced the present rebellion in Ireland.

The motion was ably supported by Lord *George Cavendish*, General *Fitzpatrick*, Mr. *W. Smith*, Mr. *Tierney*, and Mr. *Nicholls*; and opposed by Messrs. *Dundas*, *Canning*, *Lawrence*, and Mr. *Windham*; after which the House then divided.

<i>Ayes,</i>	-	-	-	-	-	43
<i>Noes,</i>	-	-	-	-	-	159

Majority - - - 116

Mr. *Sheridan* then moved the following Address, with a view to its being recorded on the Journals:

That an humble Address be presented to his Majesty, to submit our opinion to his Majesty, that the deplorable state of Ireland calls for an immediate and total change of councils and measures in that kingdom: that if the system of coercion, enforced in the manner it has been, should succeed to the full extent of the most sanguine expectations of those who have advised it, the conquest of a desert is all that can be obtained by it; and that Ireland, so reduced and so desolated, can no way be preserved but by a continued waste of the wealth and strength of Great Britain, for which no other return from that country can be rationally expected, but implacable hatred, waiting for revenge:—That if these measures fail, the possibility of which no wise Government would leave out of its calculation, Ireland will not merely be lost, but may become an accession to the power of France, and England be exposed to the issue of a contest, on English ground, not for acquisition or dominion, but probably for existence.

We should fail in the duty we have undertaken, if we did not, at the same time, express to your Majesty our absolute conviction, that no change of system in Ireland would be effectual to its purpose, without a removal of those persons, whose councils have produced the present calamities; and

who

who cannot in reason be considered as capable of, correcting their own errors, or of attempting it with sincerity; and whose past conduct, both in practice and profession, render it impossible for them, even were they to act on a sincere conviction of past error, to raise an expectation in Ireland, of such a Government, on temperate principles, as might dispose them all to submit to the regular and indispensable restraints of justice administered according to law or even to accept of concessions without distrust, or of benefits with gratitude.

Nothing in our opinion, but a total change of men, as well as of measures, can prevent the otherwise certain alienation, and more than possible separation, of that country from Great Britain.

It was negatived without a division.

Mr. Pitt was not present at the debate.

Adjourned at half past twelve.

LIST OF THE MINORITY,

On Mr. SHEKIDAN's Motion, relative to Ireland, on Thursday,

June 14, 1798.

William Baldwin, Esq.	Malton.
George Barclay, Esq.	Bridport.
Joseph Foster Bitham, Esq.	Stockbridge.
Sir Francis Baring, Bart.	Calne.
Robert Biddulph, Esq.	Herefordshire, County.
Hon. Edward Bouverie,	Northampton.
Sir Francis Burdett, Bt.	Boroughbridge.
Rt. Hon. Lord George A. H. Cavendish,	Derbyshire, County.
Thomas William Coke, Esq.	Norfolk, County.
William Colhoun, Esq.	Bedford.
Alderman Combe	London, City.
Hon. Lionel Damer	Peterborough.
William Joseph Denison, Esq.	Camelford.
Sir M. Browne Folkes, Bt.	King's Lynn.
James Hare, Esq.	Knareborough.
Sir Christopher Hawkins, Bt.	St. Michael.
William Hufley, Esq.	Salisbury.
Nathaniel Jefferys, Esq.	Coventry.
Joseph Jekyll, Esq.	Calne.
Jervoise Clerke Jervoise, Esq.	Yarmouth.
Richard Payne Knight, Esq.	Ludlow.
French Lawrence, Esq.	Peterborough.

James

James Martin, Esq.	Tewksbury.
Sir William Mordaunt Milner, Bt.	York, City.
John Nicholls, Esq.	Tregony.
Henry Peirse, Esq.	Northallerton.
George Porter, Esq.	Stockbridge.
Sir William Pulteney, Bt.	Shrewsbury.
Hon. George Rawdon	Lincoln.
Joseph Richardson, Esq.	Newport.
Right Hon. Lord John Russell,	Tavistock.
Right Hon. Lord William Russell,	Surry, County.
Hon. St. Andrew St. John	Bedfordshire, County.
Richard Brinsley Sheridan, Esq.	Stafford.
George Shum, Esq.	Honiton.
William Smith, Esq.	Sudbury.
Right Hon. Lord Robert Spencer	Wareham.
Charles Sturt, Esq.	Bridport.
General Tarleton,	Liverpool.
Michael Angelo Taylor, Esq.	Aldeburgh.
Hon. John Tufson	Appleby.
Hon. George Walpole	Derby.
Charles Callis Western, Esq.	Malden.

TELLERS.

Right Hon. Richard Fitzpatrick	Tavistock.
George Tierney, Esq.	Southwark.

PROTEST

AGAINST THE LAND TAX BILL.

The following Protest has been entered upon the Journals of the House of Lords against the bill passed on Tuesday the 12th inst. entitled—"An Act for making perpetual, subject to redemption and purchase in the manner therein stated, the several sums of money now charged in Great-Britain as a Land Tax for one year, from the 25th day of "March, 1798."

DISSENTIENT,

1st, Because, unwilling to depart from the established principle of the Land Tax being voted annually; a principle, we conceive, founded on the most solid basis of political wisdom.

2dly, Because the introduction of so serious an innovation, as rendering the Land Tax perpetual, appears to us neither beneficial to the public, nor just to individuals. That tax being from its very nature unequal, and liable to fluctuation from a variety of causes, cannot furnish any reasonable ground

ground on which to establish one permanent uniform plan of financial operation.

3dly, Because the proposed plan of sale or redemption, with a view to the general prosperity of the country, appears totally fallacious, as the mode in which its operation is to take effect cannot but be precarious, and should the event proposed answer the warmest expectations of the most zealous advocates for the measure, its success can alone be derived from sacrificing the great and constitutional interests of the country, namely, the landed, to the more precarious and fluctuating interest of the monied property in the kingdom.

4thly, Because, admitting under the present circumstances the necessity of great and extraordinary exertions in order to protect our liberties, constitution, and country against those unprecedented dangers with which we are menaced, we still think the country equal to resist successfully every probable degree of difficulty and danger, provided its resources are applied with wisdom as well as energy. The land undoubtedly must, in common with every other species of property, bear its part of the public burthens, and be the weight of those burthens more or less according to the pressure of particular times and circumstances, we never can approve the endangering the constitutional importance of the interest which has hitherto been regarded as so materially connected with the legal independence and rational freedom of our country.

It is upon these grounds we object to this bill passing into a law, and actuated by no other motives than the conscientious discharge of our duty, and the most earnest wishes for the prosperity of the State, we have thought it necessary to record our dissent, in order that whatever inconvenience, vexation, or more serious calamity may arise from such a measure being adopted, we may not appear responsible for its consequences, either to the present age, or to posterity.

LEEDS,
NEWARK,
CARNARVON,
SUFFOLK AND BERKSHIRE.

HOUSE OF LORDS.

FRIDAY, *June 15.*

Heard Counsel on a Scots Appeal.

Previous to the Duke of *Leinster* rising to make his motion respecting Ireland.

Lord *Sydney* moved, that the House should be cleared. He observed, at the same time, that as none but members would be present at the expected discussion, if any paper presumed to publish any pretended account of their proceedings, he hoped their Lordships would punish it with the utmost rigour.

All strangers were then excluded, Members of the House of Commons not excepted.

The Duke of *Leinster* then, is said to have made his motion, after a speech, in which, in alluding to the late occurrences

rences in Ireland, his feelings were greatly affected. This motion was to the following effect :

To present an humble Address to his Majesty, to assure his Majesty, that this House will at all times be ready to maintain by all just means in their power, the honour, independence and unity of the British Empire ; that considering his Majesty's kingdom of Ireland as an integral part of that empire, and the connection of that kingdom with Great-Britain, as essential to the general safety, and local prosperity of both, we are most unfeignedly afflicted at beholding the disorders now existing in several parts, and the discontents universally prevailing throughout the whole of the sister kingdom ; that we feel that affliction increased in a very great degree when we reflect, that though every member of this House, in his individual capacity, is but too well acquainted with the alarming condition of that country ; yet his Majesty's Ministers have not thought proper to advise his Majesty hitherto make any communication on the subject to this House, the great hereditary counsel of the Crown.

That, in this state of extraordinary and unprecedented ignorance, this House finds it necessary to resort to its indisputable right of approaching his Majesty's Throne, with an humble but earnest prayer, that his Majesty will deign to direct the proper officer to lay before this House a full and ample statement of the facts and circumstances which have led to this disastrous state of affairs, and of the measures which have hitherto been pursued for the purpose of averting such momentous evils.

That this House, as soon as it shall have obtained such necessary information, will without delay, as it is in duty bound, as well as by inclination willing, employ every exertion of assiduity, and all the resources of its best wisdom, towards the discovery of the true causes of these disorders, their nature, and extent, by a diligent examination into, and a prudent and deliberate consideration of, the measures adopted by the Government, as well as of the situation of the country, to which such measures were applied, so far as this House may proceed consistently with the acknowledged relation between the two kingdoms.

That, however great and alarming the disorders and discontents now prevailing in our sister kingdom notoriously are, however imminent the dangers which at this awful period threaten its future happiness, we will not despair, but that the result of such enquiry and discussion will enable us to assist his Majesty, according to our constitutional duty, with some well adapted remedy of such efficacious but healing counsel, as may tend to restore in that distracted part of the British Empire, confidence in the justice of the laws, by a due and impartial administration of them ; obedi-

ence

alience to the authority of his Majesty's Government, by a temperate use of its powers; satisfaction, happiness, and union amongst all the descriptions of subjects in that kingdom—in which benevolent attempts we are well assured that this House will only second the paternal wishes of our gracious Sovereign.

A long and animated debate followed, in which the motion was supported by

The Duke of Leinster,	Lord Moira,
Duke of Devonshire,	Lord Holland,
Earl of Suffolk,	Lord Belborough,
Duke of Norfolk,	Duke of Bedford,
Lord Fitzwilliam,	Duke of Leeds,

And opposed by---

Lord Townshend,	Lord Spencer,
Lord Carlisle,	AND
Lord Grenville,	The Lord Chancellor,

The House then divided---

<i>Contents</i>	18	<i>Non Contents</i>	51
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Lord *Liverpool* and Lord *Auckland* were not in the House.

List of the Minority on the Duke of LEINSTER's Motion.

Duke of Leinster,	Earl Belborough,
Duke of Norfolk,	Earl of Shaftsbury,
Duke of Bedford,	Earl Moira,
Duke of Devonshire,	Earl of Dorchester,
Duke of Leeds	Lord Walpole,
Earl Fitzwilliam,	Lord Conyers,
Earl of Scarborough,	Lord Yarborough,
Earl of Egmont,	Lord Holland,
Earl of Suffolk,	Lord Maynard.

PROTEST

ON THE MOTION FOR A COMMITTEE TO ENQUIRE INTO
THE STATE OF IRELAND BEING NEGATIVED.

DISSENTIENT,

1st, Because it was the duty of the King's Ministers to have advised his Majesty to make an early, regular and constant communication of the disastrous events which have happened in Ireland, and of the deplorable state of that kingdom, to both Houses of Parliament, and more especially to this House, who are the great hereditary Council of the Crown, and who never have been, or can be, consulted on a question of greater importance

ance to the safety of the British Empire, than that which was the subject of that day's debate.

adly, Because Ministers having studiously withheld from the knowledge of this House a fact of such transcendent magnitude and importance as the existence of a rebellion raging in Ireland, and having employed a great portion of the supplies granted, and of the army voted by Parliament for the service of Great Britain, without the advice, consent, or knowledge of Parliament, for the suppression of such rebellion, are guilty of a high aggravation of those unwarrantable acts, and criminal omissions, by refusing to yield to a motion so temperate, so prudent, and so necessary, as that which has been submitted to this House; whereby this House is, in effect, deprived of all means of performing their duty to the King and Country, or of acting at all in their constitutional capacity as Council to the Crown, in a case of the most urgent necessity and imminent danger to his Majesty's person and Government, and to the safety of the whole Empire.

3dly, That, considering the nature and all the circumstances of the case, we hold that a refusal, on the part of Ministers, to content to an enquiry into these transactions, is equivalent to an acknowledgement of consciousness in them that the calamities of Ireland originated in their own pernicious Councils, and will not bear investigation; and that such refusal may be attended with the most fatal consequences—for all which we hold them to be responsible to his Majesty, to Parliament and to the nation.

The above Protest was entered on the Journals after the debate on Friday night.

At the end of the debate on Friday night in the House of Lords, the following amendment was moved by the Duke of Norfolk, which, after some debate, was incorporated with the main question, and negatived.

“ And we further feel it our duty to state to his Majesty, that understanding the system of coercion has been enforced with a rigor that, if related in detail, would too severely wound his paternal feelings; that confessions have been extorted by torture and scourges, a practice held in abhorrence in every other state of Europe; to implore his Majesty that he will be graciously pleased, as the most probable means to put a stop to the calamities that pervade a part of that unhappy country, to direct an immediate change of system; as far as depends on the Executive Government, and to remove from their stations those persons under whose authority these atrocities have been perpetrated; and towards whom the afflicted people of Ireland can feel no sentiments but those of hatred and revenge.”

HOUSE OF COMMONS.

FRIDAY, June 15.

A Message from the Lords informed the House, that their Lordships had agreed to several bills.

The House, in a Committee of the whole House, to consider of the two acts of the present Session of Parliament relative to the Distilleries of Scotland, came to a resolution, and the

The House being resumed, the report was ordered to be received the next day.

Colonel *Fallarton* presented a petition from the Noblemen, Gentlemen, and others of the County of Air, similar to those which pray for a tax upon all property, &c.—Ordered to be laid on the table.

Mr. *Rose* moved the order of the day, which was for the second reading of the bill for imposing a duty upon Taxed Carts.

Sir *Charles Bunbury* thought that this bill would both dissatisfy the public, and diminish the revenue, but he should reserve what he had further to say to Monday next.

The bill was read a second time, and ordered to be committed to a Committee of the whole House on Monday.

The *Attorney General* moved the order of the day, for the House to resolve itself into a Committee of the whole House upon the bill for the more effectually preventing persons, his Majesty's subjects, from voluntarily repairing to France, and other countries at enmity with his Majesty, and for preventing correspondence with such persons.

The House resolved itself into a Committee accordingly; went through the bill, the report was received immediately, ordered to be taken into further consideration on Monday, and that the bill be printed.

The House, in a Committee of Ways and Means, voted, that the sum of one million be raised on Exchequer bills, pursuant to the last Vote of Credit.—Ordered that the report be received the next day.

Agreed to go into a Committee to consider further of Ways and Means on Monday.

Mr. *Rose* moved the order of the day for the House to go into a Committee of the whole House, to consider the Duties upon Stamp Vellum, Parchment, and Paper.

The House in a Committee.

Mr. *Rose* stated, that there had lately been great evasions in the Stamp Duties, owing to Almanacks and other publications requiring Stamps being printed on linen and cotton, whereby the revenue was considerably injured. He therefore moved a resolution, the substance of which was; that the same Duty shall attach to any article, upon whatever materials it may be written or printed, as is now chargeable upon vellum, parchment or paper, in respect to any deed, book, &c.—Passed.

He then moved; that every Policy of Insurance for Houses, Goods, Wares and Merchandises be exempted from the Stamp Duty on Deeds.

Report ordered to be received the next day.

The order of the day being read, for taking into further consideration the reports of the Committee on the bill for transferring the management of the Salt Duties to the Excise,

The House proceeded upon the report.

Mr. *Rose* proposed a clause, the purport of which was to allow Rock Salt to go into Scotland, and to submit it to the discretion of the Lords of the Treasury to appoint districts for receiving it.

Mr. *Secretary Dundas* opposed the clause; upon which a short debate ensued, the House divided—

<i>Ayes</i> (for the clause)	-	-	13
<i>Noes</i>	-	-	26

The Provisional Cavalry bill was recommitted, and the report received. The bill, as amended, was ordered to be printed, and to be taken into further consideration on Monday.

The Salt Duty bill was ordered to be read a third time on Monday.

The report on the Convoy Protection bill was further considered: several clauses were proposed by Mr. *Rose*, and received. After which the bill was ordered to be read a third time on Monday.

The orders of the day were then deferred, and the House adjourned.

The following Gentlemen spoke in the Debate on Mr. *SHERIDAN'S*
Motion relative to Ireland.

Mr. <i>Sheridan</i>	Mr. <i>Nicholls</i>
Lord <i>Hawkesbury</i>	Sir <i>W. Milner</i>
General <i>Fitzpatrick</i>	Sir <i>W. Pakeney</i>
Mr. <i>Secretary Dundas</i>	General <i>Tarleton</i>
Mr. <i>Martin</i>	Mr. <i>W. Smith</i>
Lord <i>G. Cavendish</i>	Mr. <i>J. Heathcote</i> (for <i>Ripon</i>)
Mr. <i>Canning</i>	Mr. <i>Tierney</i>
Dr. <i>Lawrence</i>	Mr. <i>Windham</i>
Mr. <i>Ellison</i> .	

HOUSE OF LORDS:

MONDAY, June 18.

Counsel was heard in the cause of *Jones v. Martin*.

Several bills were brought up from the Commons and read a first time.

Lord

Lord *Grenville* rose to present the following Message from his Majesty.

GEORGE R.

His Majesty thinks proper to acquaint the House of Lords, that the Officers, Non-Commissioned Officers, and Privates of different Regiments of the Militia of this Kingdom have made to his Majesty a voluntary tender of their services to be employed in aid of the regular and Militia Forces in Ireland, for the suppression of the Rebellion now unhappily existing in that Country.

His Majesty has received, with the utmost sensibility, this striking and seasonable proof of ardent zeal and attachment towards his person and Government, and of affectionate concern for the interests and safety of his Majesty's faithful and loyal Subjects in Ireland, and conceiving that his being enabled to avail himself of this new and distinguished instance of public spirit, may eventually be of the utmost importance for the protection of the lives and properties of his Irish Subjects, for the speedy and effectual suppression of the Rebellion, for the defence of Great Britain itself, and for the general interests and security of the empire, he recommends it to his faithful Commons to consider of such provisions as may be necessary for empowering his Majesty for a time, and to an extent to be limited, to accept the services of such parts of his Militia forces in this Kingdom, as may voluntarily offer themselves to be employed in Ireland at this important conjuncture.

G. R.

Lord *Sydney* rose and moved their Lordships that the House be cleared—all strangers were accordingly ordered to withdraw.

A bill to meet the object of the Message was produced by Lord *Grenville*, and read a first time.

HOUSE OF COMMONS.

MONDAY, June 18.

Mr. *Secretary Dundas* brought from the King a Message similar to that presented to the House of Lords.

The Message being read.

Mr. *Secretary Dundas* moved, that it be taken into consideration the next day.—Ordered.

The order of the day for a Committee on the Provisional Cavalry bill was deferred to Wednesday next.

A Message from the Lords informed the House their Lordships had passed a bill, to which they desired the concurrence of the House.

Mr. *Hart* brought up the report of the Committee of Ways

Ways and Means. The resolutions were read and agreed to, and bills were ordered to be brought in, in pursuance of them.

The *Solicitor General* moved, that the Alien Act be read; which being entered as read, he moved, that leave be given to bring in a bill to amend the said Act.—Granted.

The bill was afterwards brought in, read a first time, ordered to be read a second time the next day, and to be printed.

The report of the bill for preventing persons, subjects of his Majesty, from voluntarily going to, or residing in France and other places at enmity with his Majesty, &c. was ordered to be taken into further consideration the next day.

The House having resolved itself into a Committee of Ways and Means, voted three millions to be charged on Exchequer bills to be provided for the next Session of Parliament.—Report ordered to be received the next day.

Mr. *Rose* moved, that the bill for transferring the management of the Salt Duties to the Excise be read a third time the next day; at the same time he gave notice that he should have to propose a clause for allowing Rock Salt to go into one place in Scotland for a certain time.

Sir *M. Ridley* said, that from the manner in which this bill had been conducted, he hoped it would not be deemed an uncandid proceeding if a motion should be made to postpone the third reading of this bill to another year. This he meant as a species of notice.

The bill was then ordered to be read a third time the next day.

STATE OF IRELAND.

Lord *George Cavendish* gave notice that he should on Friday next bring forward a motion relative to Ireland.

Mr. *Sheridan* said, he was glad to hear the noble Lord give this notice, and he hoped the debate would not be kept from the public. The enforcing the order for the exclusion of strangers, was an extremely alarming measure, and he hoped would never be persisted in again. The manner in which the last debate upon that subject had been conducted, proved that every word of it might have been safely published; indeed, it was impossible to argue with any success, that the constituents ought not to know what their Representatives said in Parliament. He wished to know whether the same standing order was to be enforced again? If it was, great inconvenience to the public business might be the result of that method of proceeding; for every Member of the House had the power of insisting, not only upon that particular, but also upon every other

other standing order, which orders were so numerous, so various, and so precise, that if they were enforced the House would never be able to proceed through the public business; all these, however, had been laid aside for the facility of public business; but it was in the power of any Member to adopt them if he thought fit.

The House then resolved itself into a Committee upon one of the Exchequer Bills bill, and the Chairman having put the usual question in point of form, "That this bill be read paragraph by paragraph,"

Mr. *Sheridan* said, that this was an instance of what he had been stating. The words of the motion were, "That this bill be read paragraph by paragraph," whereas in point of fact, not one of the paragraphs was read. Should he insist on going on with the forms of the House in strictness, he should detain the House five hours upon this very bill.

The bill then passed the Committee, and the Report was ordered to be received the next day.

The bill for abolishing certain offices in the Customs, and for regulating others, was read a third time and passed.

The Taxed Cart Bill was ordered to be committed the next day.

Agreed to go into a Committee of Supply on Wednesday.

Mr. *R. Thompson* observed that from the advanced period of the Session, it was not advisable to proceed further in the Slave Trade Restraining Bill, and therefore he wished to defer it till next year. With that view he should move that the further proceeding on the bill be deferred to that day two months.

Mr. *Webster* concurred, and wished that the matter should be discussed when the House was fully attended.

General *Tarleton* said a few words, importing that Parliament had not hitherto shewn much disposition to favour this measure.

After which the motion was put and carried.

Adjourned.

HOUSE OF LORDS.

TUESDAY, June 19.

MESSAGE FROM THE KING.

Lord *Sydney* rose to move the standing order for all strangers to withdraw; and he desired it might be regularly observed, and strangers be kept out, that he might not have daily to enforce the order by motion.

Strangers

Strangers were accordingly directed to withdraw.

The King's Message with respect to the Militia of Great Britain serving in Ireland was then read; and a motion for an Address to his Majesty thereon, gave rise to a long and spirited debate.

The Earl of *Caernarvon* moved an amendment, upon which the House divided.

<i>Contents,</i>	13
<i>Not Contents,</i>	45

Majority, - - - - 32

The House being resumed, the address was carried; and a bill empowering his Majesty to accept the offers of such regiments of Militia as should be willing to serve in Ireland, was brought in, and was read a first and second time, and passed through the Committee.

The House adjourned at half past ten.

LIST OF THE MINORITY,

On the Amendment of the Earl of *CARNARVON* on the Militia Bill.

Dukes of Norfolk,	Earl of Bedford,
Leeds,	Viscount Hampden,
Earls—Fitzwilliam,	Lords—Holland,
Carnarvon,	Conyers (Marquis of Carmarthen)
Cholmondeley,	Walpole,
Jersey,	Yarborough.
Oxford,	

HOUSE OF COMMONS.

TUESDAY, *June 19.*

Colonel *Gascoigne* presented a petition from a number of the inhabitants of Liverpool, in favour of the Bill for providing for the most effectual means of defence of the Port and Town of Liverpool, against the attacks of the enemy. Ordered to be referred to the Committee on the said bill.

The Scots Distillery Amendment Bills was read a first time, and ordered to be read a second time the next day.

Read also the Million Vote of Credit Bill and ordered to be read a second time the next day.

The Exchequer Bills' Bill was read a first time, and ordered to be read a second time the next day.

Mr. *Hobart* brought up the Report of the Committee of Ways and Means; and the Resolution for granting three Millions

lions and a half of Exchequer Bills to discharge the Bank Loan was read and agreed to, and a bill ordered to be brought in pursuant to the said Resolution.

The Report on the Bill for prohibiting British subjects from going to or residing in France during the war, was brought up, and the several resolutions agreed to. The bill was ordered to be read a third time the next day, if then engrossed.

The Alien Bill, as amended, was read a second time, and ordered to be committed the next day.

The House resolved itself into a Committee on the Taxed Cart Bill, when

Sir Charles Bunbury proposed a clause for exempting Farmers from the surcharge of the Assessed Taxes, though they should occasionally make use of their carts for other purposes than those of husbandry.

This clause was supported Mr. Plumer, and Mr. Dickens; and opposed by Mr. Rose, after which the House divided,

<i>Ayes</i> , (For the Clause)	-	-	-	40
<i>Nees</i> ,	-	-	-	60
<i>Majority</i> , - - - -				20

A message from the Lords informed the House that their Lordships had agreed to the Subaltern Officers' Provision Bill, to the Gold and Silver Wares Bill, &c.

Mr. Secretary Dundas moved, that there be laid before the House copies of such offers as have been made by certain regiments of the Militia to extend their services to Ireland during the present Rebellion in that country. Ordered.

The Order of the Day was now read for taking his Majesty's most gracious Message into consideration, and the Message having been read from the Chair,

Mr. Secretary Dundas rose and said, that the nature and language of the Message from the Crown, in his opinion, sufficiently explained to the House the subject that was now about to engage their attention. He was not aware of any objection that could reasonably be urged against the measure that was recommended by the Message. He would therefore content himself with moving "that an humble address be presented to his Majesty, humbly thanking him for his most gracious communication to the House."

The Address, which, as usual, was an echo of the Message, being read.

Mr. Nicholls said, that he felt it his duty to oppose the Address on a variety of grounds; and first, because if the Address were adopted, the principle of the Militia bill, as originally

established, would be completely abandoned. The Militia would then be no longer a safeguard and protection for the kingdom, against the unconstitutional use which bad Ministers might make of a standing army, in order to encroach on the rights and liberties of the people. This unconstitutional use of a standing army was dreaded and anxiously looked to by the jealousy of our ancestors; it might be the fashion now to lull that jealousy asleep, but it was surely the duty of that House to awaken it, for if the House assented to the measure now proposed, the Militia would be made a part of the standing army. This would totally unhinge the old system, and altogether new model the original Constitution of the Militia; it would be no longer officered by respectable independent country gentlemen, but by persons inclined to court the countenance and patronage of Ministers; it would not be merely for three years that men accustomed to other pursuits would now have to enlist, but they must divert their attention from the tranquil occupations of domestic retirement, and devote themselves entirely to the studies and operations of a military life. Was not this making the Militia a part of the standing army, with which it ought to be most religiously kept unconnected?—besides, this extraordinary measure to which his Majesty is advised to have recourse, is by no means consistent with the safety of the country. We have been lately told that it was necessary this country should become an armed nation, in order to frustrate the attempts of the enemy to invade us. Was it then consistent with the safety of this kingdom, after a considerable part of the regular forces had been already sent out of it, to deprive it also of the protection of the militia, and to confine its protection to the new volunteer corps, who were but imperfectly embodied, more imperfectly disciplined, and who intended themselves for the particular towns and districts to which they belonged? The measure would moreover prove cruel and unjust to those who, wholly unsuspecting of any such intention, had entered *bona fide* into the militia service. The officers alone were not to decide, nor should their pleasure and consent bind the majority. Even were it so, there would be still great hardships in it, because if any should betray a reluctance to enter into this new and unexpected service, they would then appear and be accounted less loyal and forward in their country's cause, than their more obsequious companions. This imputation they surely could not tamely brook, nor would it permit them to act as free agents. This observation the learned Gentleman illustrated, and enforced by an allusion to the proceedings of the Courts of Equity, which did not permit contracts

made

made under the pressure of urgent exigencies to be binding. But the present Message would act as compulsory upon the militia, nor could they be conceived to give it their consent. In another view of the question, it must be regarded as highly impolitic—for was it not impolitic to call on armed men to act as a deliberative assembly; if to-day they are permitted to act in that capacity, why not to-morrow; or, why not whenever their own dispositions may prompt them to it? They might then take charge of their own affairs, and arrogate to themselves the appointment of their own officers: would not this be wrong and hazardous in the extreme? armed men were encouraged to deliberate respecting the voluntary contributions; they may now think proper to deliberate again, and continue to do so when we might no longer wish it. There was another observation to which he was anxious to draw the attention of the House; and this was, that the House had not as yet proceeded to any act, or given any pledge, with respect to the causes and origin of the rebellion in Ireland. What measures had already been pursued in that regard, were adopted by virtue of his Majesty's prerogative; if the army now in Ireland was not able to arrest the progress of the rebellion, they must be opposed by a great body of men; and there were consequently great grounds for thinking that Government had acted wrong in the system they have pursued in Ireland. But on this subject we are now left in the dark, nor will an enquiry into the discontents of that country be at present assented to by Ministers. Upon what then can the House rest its opinion and judgment with regard to the measure now proposed? The Executive Government was not opposed by the People, when Lord Fitzwilliam was in Ireland. Why then was he removed? Was it because he had exceeded his instructions? If he did, why was he not punished? But it by no means appears that the noble Earl had exceeded them; for he had since been honoured with marks of favour, and by proofs of confidence, on the part of his Majesty. From the ill-timed and ill advised removal of that Nobleman from the Government of Ireland, the present disastrous state of that kingdom has arisen, and all the calamities that attend it may be justly said to flow from Ireland was not distinct from this country, as Scotland was before the Union. It is true that its government may be distinct, that its Legislature may be distinct, but it was allowed, in a late debate, that the British Secretary of State had a controul over the Governor of Ireland. But has not the British Parliament a controul over the instructions which a British Secretary of State may send to direct the conduct of the Lord Lieutenant

of Ireland? If so, ought we not now to be made acquainted with the nature of the instructions lately sent to the sister kingdom? Ought we not to be made fully acquainted with the merits of the question before we proceed to give our support to the Executive Government, and fully ascertain the causes of the discontents that have driven that unfortunate country into the present unnatural contest? Undoubtedly it were but prudent on our part to withhold that support until sufficient reason be shewn why we should permit the Executive Government to lay the foundation of incurable hatred and inextinguishable enmity between the two countries—an hatred and an enmity that must be productive of the most fatal consequences to both. To this end, we must be informed of the present state of Ireland, with the causes of the present discontents, before we concur in a motion that is evidently unconstitutional, inconsistent with the principle of the Militia bill, unjust in its nature and operation, and wholly incompatible with the safety of the country. Viewing it in these different lights, he said, he would give it his decided negative.

M. M. A. Taylor said he could not but wish that Ministers would condescend to state a few reasons why the Constitution should be thus shook to the foundation. He had many motives for wishing that a great and adequate force should be sent to Ireland; but no personal motive should win him from a disinterested performance of his duty. The militia was raised for the defence of this country; such was the nature of their engagement when they enlisted, that they should not be compelled to serve out of it. But it will be said, that in the present instance they are merely allowed to follow their own choice and inclination; of this he in a great measure doubted, but even had they made this voluntary offer, in his opinion the offer should not be accepted. The encouraging such a measure exposes the conduct of a number of Gentlemen to be unhand-somely observed upon. If one regiment offers, their example will make it compulsory on every other to do the same; their courage, or their patriotism, may otherwise be brought into question; and this would not be fair. For his part, he thought there was more courage in refusing to go, than in going. In his capacity of Officer in the Militia, he felt himself called upon to defend this country, and this country alone would he defend. If this plan was to be acted on, the difficulty that now existed in procuring substitutes would be considerably encreased. The army had already experienced a breach of faith in Government, by a number of men being drafted into regiments in which they would not at first have enlisted;

enlisted; and what is the consequence of this breach of faith? Why, that Government is at a loss how to recruit the army; they attempt a variety of modes to effect it; they endeavour to recruit it from the Supplementary Militia, but their attempts are generally unsuccessful. Here again is a complete breach of faith; for though the present measures purport to rest on a voluntary offer, yet it is compulsory in truth and in fact, though it does not appear such in words. The rebellion has now been raging in Ireland for two or three weeks, and more; yet now is the first time that it is brought before the House; and it is curious to observe, that the first communication which his Majesty is advised to make of it, comes to the House in the form of an unconstitutional proposition. The right hon. Secretary of State adduces no reason or argument in favour of the measure; the only one he hints at is, that some mettlesome military gentlemen have volunteered their service, and their offer is deemed a sufficient excuse for bringing down this message to the House; but Ministers cannot say that it is want of regular troops that makes this message necessary. There was plenty of them to be seen every where; and if we have too much cavalry, cannot they be dismounted and sent on this urgent service? The King can do this by his own authority; but are we in so desperate a state as to be called upon to act unconstitutionally, in order to supply the army? Great rumours have of late prevailed, that we are threatened with an invasion. How then is this country to be defended? How will the militia be again recruited? Will Gentlemen of rank, fortune, and respectability again be eager to enter that service that will send them out of the country, for the defence of Jersey, Guernsey, or Gibraltar? If the principle of the Militia Act is thus wantonly to be infringed, it will be hard to say where we may stand. For his part, he would keep a steadfast eye on the landmark of the Constitution. The Constitutional Act says, the Militia shall not go out of the country. He would stick by the Act. But it might be said, that a case of necessity may make it expedient to support the Act; but was there any thing that might not be done on the plea of necessity? It was a bad plea, and is frequently used by bad Ministers for the worst of purposes—a similar plea may be supposed to justify all breaches of the Constitution. Where then are we to stop? On this point he would not argue farther till the bill was brought in; he would then know the nature of the regulation; but whatever it might be, nothing would reconcile him to the dereliction of the principle, and the breach of faith, which the present measure

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measure so evidently involved. He felt it, therefore, his duty
now to oppose it.

Sir Lawrence Palk contended that the Message recommended a measure that was not only against the Constitution and the Law of the land, but that it went to take away the respectability and the best strength of the militia service. He could not therefore help saying that Ministers were highly blameable in advising it. No man of rank or property would henceforward enter the militia service if they saw it subject to such arbitrary and unconstitutional innovations. He had not been told whether the regiment to which he belonged might not be ordered out of the country; he was sure that regiment would evince on this occasion the same zeal and spirit which it has always displayed on every other occasion. The measure he nevertheless would oppose as a member of the House, though if the offer of his regiment should be accepted, he would most undoubtedly make a common cause with them.

Mr. Pierrepont declared that the sentiments he felt on the present occasion so perfectly coincided with those expressed by the hon. Baronet, that he immediately rose after him to express them to the House. It was with equal surprise and concern that he heard the Message first read, and whoever of his Majesty's Ministers advised it, they had acted, in his opinion, with great boldness; for they had advised a most gross and flagrant violation of the Constitution. He earnestly hoped that Parliament would never assent to it, or, if they did, it would only be after having the fullest documents laid before them. He had already written to his regiment, that he highly disapproved of the measure; but should they be chosen to go on this service, they should not proceed a day on their march before he would join them.

Mr. D. Ryder confessed, that it was with the greatest astonishment he heard mention made of the boldness of Ministers, in advising the message now under consideration. What then would not be said of their boldness if, after having received such offers of voluntary service from a great body of men, headed by men of the first responsibility, Ministers should have advised his Majesty to repress such a spirit, and to repel such offers? Such advice indeed might be justly attributed to boldness.---He would likewise readily acknowledge that the King could not act upon those offers without the advice of Parliament. What then has been done by Ministers? On the receipt of these offers they acted in the spirit of the engagement entered into by several bodies
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of men to extend their service beyond its original bounds.--- The question therefore now was, What advice had been given to his Majesty? and not who advised him. In ordinary times this precaution ought doubtless to be observed ---but in times like the present other measures are called for. When we know that a rebellion has reared its head, which, if any thing could be added to that word, he would say was the most heinous in its nature, and the most dangerous in its consequences of any thing that was ever yet characterised by the foul name of rebellion; it was the interest of both countries that it should be immediately crushed, and it was evidently necessary to apply, as speedily as possible, a proper force to crush it before it came to a head. Can we quietly sit down and see our fellow-subjects daily massacred in the most barbarous and shocking manner? the success which we have as yet attained, though great, is not sufficient to ensure the ultimate end. As great a part of the regular troops as could be spared, have already been sent over.--- Must we therefore permit the rebellion to rage unchecked, because it would be improper to send out of the country more than the ordinary proportion of forces?---Do gentlemen apprehend no danger for this country should it be left without a due proportion of regular troops? Its situation may not permit more of them to be sent out of it. What then can Government do, and what advice can Parliament give on such an emergency? What force is now at the disposal of Government, but that which makes a voluntary offer to extend its service? Would gentlemen wish to send the Volunteer Cavalry to Ireland? It is well known they are not as yet completely embodied, and consequently but ill disciplined, and not of sufficient force; but even if they were, they could not be spared from the country. He was also at a loss to see the force of the constitutional objection that was urged against the message. Is it more unconstitutional to employ the militia in Ireland, when they themselves voluntarily offer it, than to employ them in England? Nor was there any more force in the objection that was drawn from the reluctance which gentleman of rank, fortune and respectability would be supposed to feel, were they to be subjected to such service. Do those gentlemen then pretend to say that there is not rank, fortune, and respectability to be found in the army? If, in case of great and imminent danger, there are not to be found in the country, and among men of rank, fortune, and respectability, those who will expose

pose themselves for a time to the same species of service as the troops of the line are exposed to during the whole of their lives, then he must despair of seeing them enter into the service, should they be exposed to active duty. That doctrine would effectually go to prevent gentlemen of fortune from entering the army at all, and how then should we expect to succeed in opposing an enemy, such as that we have now to contend with, if the force we oppose to them be neither composed of, or guided by men of rank, character, and fortune. In the objections hitherto offered against the Address, there appeared to him not to be the least weight; if any others were adduced, he would think it his duty to attend to them. In the mean time he must express his hearty approbation of the measure.

Sir *Lawrence Palk* said a few words in explanation.

Lord *Wm. Russell* said, the hon. Gentleman (Mr. *Ryder*) seemed to express a surprise that Ministers should be accused of boldness in advising a measure like the present: is it not bold to come down to Parliament, and to propose every thing that subverts the principle of the militia laws? If Ministers can effect this, may not they equally well have the boldness to propose and pass an act for abolishing the militia altogether, and for raising a new corps for purposes diametrically opposite to those for which the militia was originally instituted? The militia was intended to defend the liberties of the country, and for this only were they established; so anxious indeed were the framers of the militia bill to prevent wicked Ministers from attempting, through the aid of a standing army, to encroach on the rights and liberties of the country, that the service of a militia regiment was exceedingly limited, and at first confined to the county where they were raised; and why? Undoubtedly because it was the wish of the Legislature that they should partake of the passions and the prejudices, of the likings and dis gusts of the spot which they were destined to defend; and that the feelings of the soldier and of the citizen should co-operate and accord. But what was the nature of the service they were now to be inured to? They were to be sent for the purpose of forcing upon Ireland a system of government which nine-tenths of its inhabitants disapproved and abhorred—and of which they had expressed their disapprobation in submissive, constitutional language, previous to their taking up arms to oppose it. To enforce this odious system was now the purpose for which our English Militia was to be sent over to Ireland, and thus

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to concur in the oppression of their fellow subjects. Nor would it be a matter of choice, with them, as pretended—No! it is as compulsory, as, what is stiled, *Voluntary Contribution*, where men carry about books, and take down names, and whoever refuses to subscribe is marked down as a traitor—Here also, will a man's loyalty and patriotism be suspected, unless he comes cheerfully forward to imbrue his hands in the blood of his fellow subjects. He had often disapproved of the pernicious system that has been long pursued in Ireland, it is that has driven the unfortunate people of that country to the present fatal extremities, nor would he be now so blind to the example he had before him, as to vote a single man for the maintenance of such a system.

Mr. *Banks* said, that though he could not approve of the measure proposed to the House, he could not but reprobate the language held by the noble Lord who had just sat down. For his part, he thought that no rebellion ever was more unprovoked than that now raging in Ireland, and never were more conciliatory means employed by any Government. If the rebellion succeeded, either by the efforts of its partizans in Ireland, or by the assistance of France, this country was undone. He could by no means give his consent to the measure. It was difficult to state principles so broad as not to admit of modification. The present case, however, did not appear to justify the exception. The consequences of departing from the principle of the Militia bill might be very injurious, when these corps came again to be filled up. There not only would be difficulty to find substitutes (and the practice of substitutes was not the best part of the bill), but a reluctance to enter into the service might ensue. He was afraid if the principle of sending the militia to Ireland, for the defence of England, were once admitted, there was no species of warfare in which they might not be employed. They might be sent to Ostend or Quiberon, on the ground that such measures were in their nature defensive, and calculated to defeat the attacks of the enemy, before they could reach our shore. In fact, when once admitted, there are no limits to the abuse. Though unwilling to lay down principles too broadly, he thought there were two cases in which such a measure as this ought not to be adopted—either when all the regular troops are not already sent out on service, or when apprehensions of invasion are entertained. At present we had an army in a foreign country (Portugal) in its pay. Surely these troops, in such an event,

would be better employed in the defence of Ireland. Though averse to the measure, he thought that some medium for supplying the service, and yet preserving the principle of the act, might be adopted. He thought that measures might be adopted to enable a certain proportion to be taken into other regiments, while the principle of the militia would not thus be infringed. He concluded with moving an amendment, to leave out all but the two first paragraphs; to express the high sense the House entertained of the zeal and patriotism of those who had offered to come forward with their services; to assure his Majesty, that the question suggested in the Message was one of the utmost consequence, on which the House were not, in the present circumstances, prepared to give any opinion.

The *Secretary at War* said, that the honourable Gentleman who had just sat down, had given more the appearance of argument to what he maintained than any of the gentlemen on the other side, but he could not help being surprised that his argument had led him to the conclusion he had formed. Some gentlemen had spoken out; and their explanation was to him perfectly satisfactory, as a proof of their motives to the opposition they had avowed to the measure. One honourable Gentleman had obscurely developed those principles on which the sending an additional force to Ireland was opposed, and the noble Lord who had spoke last but one, had proved an ample commentator on what that honourable member had only partly disclosed. In fact, the noble Lord had done what, in vulgar language, is called letting the cat out of the bag; and the House could not but see that from the language used by the noble Lord, he did not wish to suppress the rebellion in Ireland. The noble Lord had said, that he would not vote one shilling, or one man, to assist the Government of Ireland in subjugating the people of Ireland. Was not this the expression of a wish that the rebellion ought not to be suppressed. (*A general cry of hear! hear! from the opposite benches.*) Mr. Windham proceeded. He said it was not by any means his wish to misrepresent the noble Lord, but if he had done so, the opportunity would presently occur of his being set right. One honourable Gentleman had suggested that the House ought to pause before it agreed to the address; but would Gentlemen pause while an active rebellion existed in one corner of the empire? Were honourable Gentlemen to hesitate whether the House of Commons should act decisively in a crisis so important to the British interests, and on
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the events of which the security and peace even of England itself so much depended? Was it to be endured that men should advise that the legislature should look on while the King's troops and the rebels were fighting, and not assist the former to bring the latter to a sense of duty? To the declaration that he would not vote one man or one shilling to subjugate Ireland, the noble Lord had added, that he would not consent to men being sent to imbrue their hands in the blood of their fellow subjects. But did the noble Lord not know, that in the most legitimate war, men are equally liable to imbrue their hands in blood. He would ask the noble Lord, would he not act against the army of Buonaparte, supposing it to effect a landing in this country; or, if he had such a term in his vocabulary as *religion*, would the noble Lord not fight and suppress a civil war? One honourable Gentleman had set out with remarking, that the militia was intended, and originally raised to form a controul over the standing army of the country. It might have been so. But in point of fact, did Gentlemen not know the king had the power of disbanding the militia. His honourable Friend (Mr. Banks) had admitted that the militia might be reduced, and appeared to wish a corps might be formed from it, consisting of such men as were really disposed to volunteer their services against the rebels. Yet the honourable Gentleman appeared not to have recollected, that if this were once done, the alledged constitutional check would cease; that if the militia was originally a check, any reduction of it would diminish that check. He would admit that it might be convenient to accept of the services of any part of any corps, and certainly all offers of this sort were not voluntary. They were not produced by the sense of any existing compulsory law, but it was true that shame, a sense of honour, and other circumstances, would act upon a man most forcibly, and present to him a moral necessity for undertaking a service he might not wish to enter upon. But the objection that the militia had been originally raised merely for the protection of the country, and never to be sent out of it, did not appear to him stronger than might be used in the case of the Fencible corps who had been raised originally on similar terms. These corps were at that moment the chief body the Government of Ireland had to depend upon: they too originally made offers of voluntary service, and if the Government had not accepted of them, the rebellion in Ireland must have terminated in a very little time in favour of the rebels. It might be true, that after

adopting such a measure as that then in discussion, many would not wish to enter into the militia, but some voluntary offers would still be made, and it was in such a case the inconvenience would most probably be greatly felt. But it had been said, that no necessity exists for sending the militia to Ireland; and if this were even admitted, what would Gentlemen say of convenience and expediency? All moral and political reasoning would in fact end. did men exclude these terms from their dictionaries. However the necessity was the danger to Great Britain if the Irish rebels should ultimately prevail. With respect to documents, Mr. Windham contended, that the House had enough of them to shew that Ireland was in imminent danger, and the disaster to England would be great if Ireland were lost.—Some Gentlemen had spoken much of the violation of a principle of justice; but the justice was, that the will had been left perfectly free, and men made a tender of services they sincerely desired they might be able to afford. It had been contended, that to adopt the present measure would be to introduce a precedent, of which future Ministers might make a highly unconstitutional use. And in pursuing that observation farther, the same honourable Gentleman had supposed a case when the desire of exciting rebellion in France might lead the Government to send the militia to act against that country. But in this there was an error of reasoning; for it was an attempt to reason on politics as if the discussion had been on matters of abstract science. Nothing however was more true than that all matters of reasoning had their degrees and a crisis might arise when it would be unavoidable that the militia should be employed on new services. And most certainly it would on the present occasion be so employed, considering that the defence of the country very closely connected itself with the existence of Ireland. He would not say that he should support this doctrine strenuously on a motion for a law to compel the militia to go to Ireland. His reason was rather that voluntary offers had been made, and certainly no man would say that it was not just that men should do their duty, and a principle of justice that they should be permitted to defend their country. He was ready to admit the force of the objection that men would be obliged to enter upon such a service from a principle of shame, and did not wish to place men in such a situation; but it could not be expected that it was possible to obviate such difficulties. With regard to the supposition that many people would probably not again enter into the militia if

if this measure was adopted, he could only say that he thought it probable; but even supposing it possible, he should set that against the salvation of Ireland. Mr. Windham concluded with observing, that all wars required vigorous exertions, but civil war was different from every other species of warfare; and although in ordinary wars the delay of a few days might not be peculiarly prejudicial, a civil war every moment acquires force from time, and the rebellious subjects of a country gain inconceivable advantages, while its Government may be hesitating whether it shall exert its full vigour, and give to its force that direction which should appear most adapted to assert its own dignity in the defeat and confusion of a lawless banditti.

Lord *William Russell* in explanation, complained of misrepresentation, and asked, what would have been thought of any member who should have attempted to pervert the meaning of the celebrated ejaculation, "Perish Commerce! Live the Constitution!" The words he had used were—"I will not vote a man or a shilling for the purpose of subjugating the Irish, till after attempts at reconciliation have failed." (*A cry of hear! hear!*)--Persisting in this statement of his words, he said, "They were my words, and I dare any man to say they were not." He acknowledged that he had regretted men should be sent to imbrue their hands in the blood of their fellow subjects, but it was merely an expression of regret.

Mr. *Sheridan* said, the motion which has to night been submitted to the House is the most extraordinary in its nature that every was heard within these walls; and the manner in which it has been brought forward is to the full as extraordinary. Long as the House has been inured to be treated with contempt by the King's Ministers, the mode in which they have been treated on the present occasion is even more insulting than any thing they have yet experienced. The right honourable Gentleman who moved the address seems to have considered the measure proposed as one to which no objection could possibly be framed; and he introduced it as one which demanded neither apology nor explanation. I confess that the subject should be viewed so much as a matter of course by that right honourable Gentleman, does likewise a little surprise me. We cannot forget how lately the right honourable Gentleman came down to this House, and stated the country to be in a state of imminent danger, which required the exertion of every heart and hand for its defence.

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It is indeed somewhat extraordinary, then, that after telling us of the danger of the crisis; and after all the regular troops are sent out of this kingdom, and when 1200 more cannot be found, he should call upon the House to give their consent to strip the country of the Militia force on which it relies for its defence. We have not been told how this drain is to be supplied, what new securities are to be provided. All this the right hon. Gentleman considers as a matter of course, which he is neither called upon to reconcile to former statement, nor to defend upon any ground of constitutional principle, of sound policy.

The right hon. Gentleman who followed upon the other side was at no greater pains in his short speech, to give any argument in support of the measure proposed. And what is this extraordinary measure intended to gain? From the Lords' bill it appears, that the militia force which it is thus intended to send to Ireland, is only 1200 [Here Mr. Sheridan was informed that the number was to be 12,000] But, if such additional force is wanted, why not send all the regular troops which are to be found before the constitutional principle is violated? Why not send the 2000 of the Guards in town, and, instead of 12,000, send only 10 000? And, if these 12,000 are sent, are you sure that this will do? Will you continue to send more of the Militia to Ireland without any assurance that the danger, late so alarming, is removed; or without being informed where you are to look for defence?

The right hon. Gentleman who spoke last, began his speech with saying, that nothing like an argument had been advanced on this side of the House worthy of serious confutation; and the right hon. Gentleman, however, continued to make a pretty long and warm reply to these no arguments. It has been asked, what would have been thought of Ministers if they had concealed the offer made by the militia? If Ministers could have done what they now propose without consulting the House, I will venture to say that we should have heard nothing of this offer. Just as they have continued to send all the regular force to Ireland upon the King's prerogative without ever acquainting the House of the object, or asking its advice with regard to the measures which it was necessary to pursue, they would have acted. The advice of Parliament would have been despised, and Ministers would have proceeded upon their own discretion. Although they may hold in contempt the advice of this House, they were not quite bold enough to act in violation of the law, which they are afraid, and which I hope will still be found too powerful for them. They required the
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consent of the House, and it was necessary to apply for its sanction. Never was there a word of Rebellion in Ireland mentioned; never was the least communication made, on which the House could offer its advice, till its consent must be obtained to one of the most unconstitutional measures that ever was brought forward in Parliament.

The right hon. Gentleman who spoke last, in replying to the no arguments which had been used on this side of the House, fastened on an expression of my hon. Friend, that he would not vote a single shilling, nor agree to send a single man to Ireland, for the purpose of subjugating the oppressed people of that country. Is it then unconstitutional? is it unparliamentary language for a member of this House to say, that he cannot give his aid to any system of measures, or any acts of the Executive Government, till he has examined and approved of the grounds on which they are justified? Does the right honourable Gentleman remember what Mr. Burke said in his Letter to Sir Hercules Langrishe, and I hope the authority of Mr. Burke will not be less in his estimation than when he was confirmed by his sentiments, and animated by his example? In the letter to which I allude, Mr. Burke says, that the House of Commons will never enter into a war for the conquest of Ireland, without knowing the grounds of the quarrel. This then is what my hon. Friend requires. He desires to know the ground of the quarrel, and this he thinks an essential enquiry before the House ought either directly or indirectly to give its sanction to any system of measures, or contribute its support to carry them into effect. The right hon. Gentleman expresses a doubt, whether at all we are willing to give our support to extinguish Rebellion in Ireland. I am aware that the right hon. Gentleman is desirous to lead us into slippery ground. He shall not, however, betray me to be guilty of any indiscretion. When he accuses us of being desirous to withhold our aid in the extinction of that Rebellion, I would ask him, whether he means to say, that in every case this House is bound to side with a King of Ireland, and an Irish House of Commons, against the people of Ireland? Will he maintain that proposition generally? Will he, without directly apostatizing from every opinion he ever held, deny that cases may occur in which it would be impossible for this House to give their support on that side? Suppose that the Irish Parliament were to re-enact all those horrible statutes by which the people were oppressed, and absolutely reduced to the condition of brutes, would this House be bound to support the Irish Legislature against the people in such a quarrel? If the Parliament
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of Ireland were to enact torture by law, if it were to state as necessary, and establish in practice, bastiles, arbitrary imprisonment, ignominious punishment without conviction, transportation without trial, and a series of oppression too degrading, too tyrannical for human nature to endure, would the British House of Commons be bound to support the Irish Legislature against the resentment which such proceedings had provoked? Merely because the men who resist such oppression are called Rebels, and those who oppose them are called the King's Troops, must this House, at all hazards, support the Irish Legislature? Unless the right hon. Gentleman is prepared to retract every opinion which he entertained upon similar subjects, he cannot affirm that this House, in such state of things, has but one line of conduct to pursue. This House is not bound to sanction the injustice and to strengthen the oppression which the Legislature of the Sister Kingdom, however independent, might be pleased to inflict. This much I say generally, because I am unwilling to refer to the particular events of the present time. I think, however, I have said enough to shew that it becomes this House gravely to enquire what is the nature of the quarrel in which it is called upon to engage, and what the grounds on which its support is demanded. I am ready to declare that every effort ought to be exerted to prevent Ireland from falling under the power of France, but this is a point totally different from the merit of the struggle to which we are required to become parties. One hon. Gentleman has thought proper to assert, that the Rebellion in Ireland is not only unprecedented in its nature, but he has styled it wholly unprovoked, and ventured to affirm that every measure of conciliation was employed to avert it. It was indeed with the utmost wonder and surprise that I heard this assertion advanced. What, when conciliation was held out to the people of Ireland, was there any discontent? When the Government of Ireland was agreeable to the wishes of the people, was there any discontent? After the prospect of that conciliation was taken away—after Lord Fitzwilliam was recalled—after the hopes which had been raised were blasted—when the spirit of the people was beaten down, insulted, despised, I will ask any Gentleman to point out a single act of conciliation which has emanated from the Government of Ireland? On the contrary, has not that country exhibited one continual scene of the most grievous oppressions, of the most vexatious proceedings; arbitrary punishments inflicted; torture declared necessary by the highest authority in the Sister Kingdom, next to that of the Legislature? And do Gentlemen say that the indignation which

which is roused by such exercise of Government is unprovoked? Is this conciliation—is this lenity? Has every thing been done to avert the evils of rebellion? It is the fashion to say, and the Address holds the same language, that the rebellion which now rages in the sister kingdom has been owing to the machinations of “wicked men.” Agreeing to the amendment proposed, it was my first intention to move that these should be omitted. But no, Sir, the fact they assert is true. It is indeed to the measures of wicked men that the deplorable state of Ireland is to be imputed. It is to those wicked Ministers who have broken the promises they held out; who betrayed the party they seduced into their views, to be the instruments of the foulest treachery that ever was practised against any people. It is to those wicked Ministers who have given up that devoted country to plunder; resigned it a prey to that faction by which it has so long been trampled upon, and abandoned it to every species of insult and oppression by which a country was ever overwhelmed, or the spirit of a people insulted, that we owe the miseries into which Ireland is plunged, and the dangers by which England is threatened. These evils are the doing of wicked Ministers, and applied to them the language of the Address records a fatal and melancholy truth.

But if gentlemen are not disposed to take these words as understood by me, let them look back at the circumstances, and see whether they can discover any cause adequate to the effects which we behold. Let gentlemen look back to the period when a whole people, under the Government of Lord Fitzwilliam, exhibited the most fervent and sincere loyalty, and say whether they can discover any cause for the change which has taken place. After being betrayed, duped, insulted, fooled, disappointed in their dearest hopes, and deprived of the Government on which they could confide, and again thrown into the hands of the rulers they detested and despised, was it impossible that they should feel emotions of indignation and discontent?—Every man in the House too well recollects the subscription set on foot in London, under the auspices, I believe, of Mr. Angerstein, in order to collect money for the support of industrious manufacturers in Ireland, wholly without employment, and destitute of the means of subsistence. Of this description there were from 30 to 40,000 men in Ireland. By the produce of charitable subscription, 25,000 a week were, by the scantiest benefactions prevented from being famished. Such was the situa-

tion of so many unhappy individuals, and when charity was wearied out, unable any longer to supply their wants, it was not the poison of French principles, but the want of bread that seduced them. It was not their desire to be Frenchified, but their reluctance to be famished, that wrought upon them to make new attempts to escape from their misery. This was the true cause that made them a prey to seduction, and with one so satisfactory before our eyes, why need we seek to impute their conduct to the poison of French principles, a cause so inadequate to the effect.

This much I have thought it right to say in defence of those who think it necessary to enquire into the grounds of the quarrel between the Government and the people of the sister kingdom. I now return to the measure before the House. The right hon. Gentleman denies that the militia could be intended in any shape as a counterbalance to a standing army, because it is the prerogative of the Crown to reduce the militia at pleasure. I should really have expected that, upon such a question, the right hon. Gentleman would have argued on some information upon the subject. The right hon. Gentleman has proved himself completely ignorant of the constitution of the militia. The King can neither increase nor diminish the number of the militia.—Each county supplies a certain number, and can neither have more nor less than its quota. It has been said that the service is voluntary, but I contend that it is not. The case of the Fencibles is mentioned as in point, but nothing can be more different. The Fencibles are raised on certain conditions between the individuals authorised by Ministers and the men who enlist; nor is it surprising that these engagements should be violated by those who have shewn themselves incapable of adhering to any contract, or being faithful to any engagements. The militia, however, was on a different footing. The militia was raised, not by a contract between individuals, but on a compact of law. It is in vain to talk of a thing being voluntary where no real option is left. The case of the worthy baronet (Sir L. Palk), is a proof of this. He finds himself in the whimsical situation of being a *volunteer* without knowing it. It reminds me of the story of the people who were dragging a man along, and on being asked the reason, gave for answer that it was a volunteer they were carrying along with them.—It had been said, that the resolution of the hon. Gentleman and the worthy Baronet, who have expressed their determination to follow their corps wherever

wherever they go, is a proof that they are not compelled. The motive from which they act, however, is submission, not consent. They go not for the reason given by the right hon. Gentleman, but for the reason assigned by themselves, that they would not desert the brave men with whom they served. What indeed is the mode employed to collect the disposition of a regiment respecting its going to Ireland. They are called out on the parade. Every man watches the looks of his neighbour; he is afraid to refuse assent at a moment when suspicion is so ready to fasten on the most indifferent things. With aching hearts, with reluctant minds, without any thing of sound will and real consent, they are dragged into the consent, which is falsely called voluntary, and these are the men who are considered as fit corps for resisting rebellion in Ireland. The comparison of the Voluntary Contributions was perfectly exact. To the measure of Voluntary Contributions I was friendly, and I was sorry to see it assume in any degree the appearance of compulsion. I did not like to hear of regiments called out to be asked whether they would give up a week's pay, and of ships' companies brought on deck to subscribe their contribution. The mischiefs of a deliberative army have already been forcibly represented; a deliberative army may become an addressing army; and an addressing army a dictating army. When the principle is once violated, there are no mischiefs to which it may not extend.

We are now called upon for our last military stake, the militia; and it is natural to ask where we are to look for defence? Is the danger to which the public attention was so forcibly directed, less now than it was?—Before the trials at Maidstone took place we were informed by a right honourable Gentleman opposite (Mr. Dundas) that dangers of the utmost magnitude existed. The promised communications on the subject, however, have not yet been received. Are we to understand, then, that the *Habeas Corpus* was suspended without any sufficient cause; or do the dangers which then existed still threaten to assail us? Have Ministers fairly and impartially weighed our situation, and, knowing, as all the world must have known, the state of Ireland---the number of troops in that quarter, and the probable demand for new reinforcements, have they taken the precautions for supplying the drain of men, and providing such means of defence as our situation afforded?---This they have not done.

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They called upon the spirit and the exertion of the country; they called upon men to forget their political divisions, and to unite in the great object of the national defence. Many of those who had been in the habit of opposing Ministers shewed a zealous disposition to support the great object of national defence. In many cases this spirit had been answered by a behaviour highly discreditable to Ministers. Unless exhibiting symptoms of apostasy from every principle men had previously entertained, their services were rejected. To the signs of dissent which the right hon. Gentleman exhibits, I say, that the association formed in the Borough of Southwark, is a proof of this assertion. For another proof of it, I have only to look at an hon. Friend of mine beside me (General Tarleton.) It would be superfluous in me to say any thing in praise of his courage and military talents. This country, all Europe, and America can bear testimony to his merit. My hon. Friend candidly and manfully offered his services wherever they could be employed. They were rejected, however, with contempt. And does any person suppose, that if my hon. Friend had been in the habit of cringing to Ministers, he would have remained unemployed? Indeed, to the surprise of the enemy, and to the astonishment of the country, his services have been rejected, merely because he remained faithful to the political sentiments he has entertained. Religious distinctions too have been kept up, distinctions which, when the situation of the Pope is considered, any belief in his supremacy would not have rendered very formidable. Some time ago, when I proposed that a certain oath, required to be taken by those who serve his Majesty in a military capacity, should be omitted in favour of Roman Catholics, the motion was rejected. Brought forward partially on another bill by an hon. Gentleman (Mr. Wilberforce) it succeeded; and was rejected on another attempt to extend it to Dissenters. Another instance of this spirit occurred in the behaviour of Ministers to Lord Petre. That nobleman had been at the trouble and expence of raising a corps of Essex Rangers. The commission, by which this corps was to be commanded by Lord Petre's son, was refused to be signed, because that gentleman was a member of the Whig Club. Perhaps this offer may have since been accepted, and the circumstance of difficulty cleared up. There are other instances, however, in which the same spirit has been displayed by Ministers. A noble Duke (the D. of Bedford), of great character

character and influence, desirous to exert that influence in such a manner as might strengthen the country at the present difficult crisis, had, upon the most liberal terms, under the sanction of the Lord Lieutenant, raised a corps of four hundred and fifty volunteers at Tavistock, in Devonshire, which was to be united to a corps of one hundred and fifty which previously existed. These men were to be clothed and paid at the noble Duke's own expence, and the men were raised, and every thing arranged. Every thing was prepared---when at a meeting of the Whig Club, the noble Duke having said that a right hon. Friend of his, not now present, was more meritorious from the animosity which Ministers had testified against him; from a newspaper report of this speech, the services of the noble Duke were rejected. A letter was sent by the right honourable Gentleman opposite (Mr. Dundas), commenting upon that sentence in the speech, and arguing that a person who held such language was unfit to be entrusted with any command. Upon this pretext the services of the noble Duke were rejected. Surely Ministers, while they act in this manner, check the spirit coming forward in the defence of the country, and deprive it of the assistance of many who are zealous in its cause, and neglect those precautions of security which the drain of troops to Ireland has rendered necessary.

To keep Ireland against the will of the people is a vain expectation. With 85,000 troops with arms and discipline, against an unarmed and undisciplined multitude! Is it not clear that the contest lies between the Government and the people? Without reversing the system, therefore, Ireland, as the phrase is, cannot be saved. The struggle is one, not of local discontent and partial disaffection, but it is a contest between the people and Government. In such a state of things, without entering into a particular enquiry, the fair presumption is, that the Government is to blame. He concluded with concurring in the amendment.

Mr. *Wynne* said a few words that we could not hear.

Mr. Secretary *Dundas* said, that he had no reason to regret that he did not detain the House in making his motion, by endeavouring to explain the reasons for making it; and should he have attempted to obviate the objections that he thought would have been urged, he should not have touched upon many of those that had been brought forward; because he was ready to confess he did not suppose that the objections would have been such as had been stated. Indeed he should not even now
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have thought it necessary to say much, if any thing, upon this question, but for some personal allusions, of which he did not complain, although they could hardly be defended upon the score of irregularity; but the honourable Gentleman who had just preceded him, had, in some measure made it necessary for him to make some observations. First, then he would begin with a sentence of the speech of the honourable Gentleman himself; he had said, and no doubt sincerely, "that he did not wish to see Ireland become a post of France." On that ground would he make his stand; and he believed before he quitted the place in which he stood, he should persuade the House that that honourable Gentleman should either retract that proposition, or retract most of the observations in his speech to night, for that they could not stand together, inasmuch as they were wholly inconsistent with each other.

As to the idea that this measure was unconstitutional, upon the ground that the militia was established as a check and controul against a standing army, he could only say, he knew not where Gentlemen took up that idea. He was not in Parliament at the time the bill for establishing the militia was moved for, and therefore could not state precisely the ground upon which the promoters of the plan submitted it to Parliament, and the ground upon which it was adopted, but he had endeavoured to collect from the best sources he could meet with, something of the outline of the grounds upon which it was agreed to, and he was satisfied that the idea of the militia being a check and controul upon the standing army, was not the ground upon which the measure was moved, or upon which it was adopted. Having enlarged upon this topic, he concluded it with saying, it ought to be dismissed as an idle, childish, foolish conversation.

He should now proceed to shew that the observations of the honourable Gentleman were inconsistent with his proposition, that Ireland should not be made a post of France. But first he must observe upon what he had said on a former occasion relative to the necessity of calling on all descriptions of people to prepare against the attack of the enemy. He was perfectly ready to be examined upon what he had then said, and to compare it with what he now proposed. He admitted at once that at that time he distinctly stated in plain language, that the salvation of this country depended entirely on its own exertions; on the zeal, ardour and loyalty of its people; and the House would allow him to say, that the twelve thousand, (for he avowed the number to be so, and not twelve hundred, as the honourable Gentleman had stated, from what document he knew not, if it came

came from the other House of Parliament, it was a mistake in the number, how it had happened he could not tell), he would say that twelve thousand of the militia forces ought now to be allowed to go to Ireland, and that was the resolution he intended to propose should the House agree to the address which he had moved. He begged Gentlemen to recollect the change which had taken place in our situation since the time when he made the declaration that this country must make great preparations against the enemy. At the beginning of this year our militia were about 36,000 men, now they were 100,000 men. At that time we had cavalry forces of about seven thousand men, now we had about twenty thousand. At that period we had a large body of Volunteer Corps, but they had been continually increasing; he could not, from the nature of the thing, be accurate as to the amount of this force, but he was confident he did not understand it at 100,000, and therefore he should be relieved from any charge of inconsistency in having at one time said it was absolutely necessary for the people to prepare for the safety of the country, and now to propose to send out of the country part of its force; the difference between the quantity of force removed that objection. Gentlemen now said, that he must either admit there is now no apprehension of invasion, or else no part of the force should be sent out of it. He said now, that safety from that invasion depended on the continuation of that spirit which the people of this country had already manifested. He said now, what he had repeatedly said, if this country was true to itself, and determined to exert its power against the enemy, he had no doubt of perfect security. He was indeed proud to feel that he was one of the inhabitants of an island that had, to the admiration of the rest of the world, maintained its honour and its character for independence. But he would now come closer to the argument on which he conceived the whole of this measure rested; for he would say at once, because he felt, that if he was informed that a large body of the French were actually on board and sailing towards this country for the express purpose of invading it, he should even then advise his Majesty to send 10 or 12 thousand men to Ireland to quell the rebellion there—yes, he repeated it, if the French fleet was at sea with transports for the express purpose of invading this island, and while the people were making defence upon defence, upon apprehension of danger, he would even then advise his Majesty to send 10 or 12 thousand men to Ireland to quell the rebellion there. He hoped that this was coming pretty close to the argument upon which this question rested, and that he was fairly putting his opinion, and meeting

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all objections to this measure, candidly at least; this he said upon the strength of the observation of the hon. Gentleman, that Ireland should not be a province of France. All he desired Gentlemen to allow was, that there is now an existing rebellion in Ireland; and having done so, it would follow that some measure should be adopted to quell it. Of what nature was that rebellion, he would ask? Gentlemen might disguise it for the purposes of debate, but they could not say it was not the desire and object of a great number of low and deluded people in Ireland to separate that country from this, and to make use of the arms of France to accomplish that object. Out of the room in which he was now speaking, he was sure the hon. Gentleman himself would not venture to tell him distinctly, that he believed there did not now exist a great body of low people who wished to separate it from this, through the arms of France. With what consistency, then, could the observations and the proposition of the hon. Gentleman, "that Ireland should not be a post of France," stand together? And what was more essential to the interest of this country, than that Ireland should not be made either a post or a province of France? Need he refer to the geography of the two countries? Need he say that, to give to France, Holland, Flanders, and all the places upon the continent opposite to our coast, was not so dangerous to Great Britain as if they had a post in Ireland? He therefore said, that to send troops to Ireland to quell the rebellion there, was, in other words, sending troops to prevent the French from obtaining a post there, and that was in reality defending Great Britain as well as defending Ireland; and the militia in going to Ireland were acting on the true spirit of their institution, for, by so doing, they were defending Great Britain against the enemy. What the militia was now about to do, was therefore according to the principle of their establishment, namely, to carry into effect those means that were in reality for the defence of Great Britain, of which they were a constitutional safeguard. He laid it down broadly, that the defence of Ireland were only other words used for the defence of England. As to the general cry that was set up against this measure, and particularly what had been said by a noble Lord, he owned he was not much moved by it. Gentlemen called for documents; what documents did they want to know that there was a rebellion in Ireland? but, perhaps, they wanted to know whether it was a justifiable rebellion. Did they mean to wait to settle this point until Ireland should become a province to France, for that might be the effect of their opposition to this measure being successful? They said, they would
not

not vote for sending to Ireland either one man or one shilling, until they had information upon this matter. This would increase, instead of diminishing, the rage of the Rebels. Indeed this was not very consistent with the manner in which the hon. Gentleman had himself spoken on a former occasion, when he had said, most eloquently; "let us not now examine who brought us into our situation, let us first beat the French." That was the substance of the sentiment expressed by that hon. Gentleman, and it was a very noble one; but he conceived that the observations of the same Gentleman this night were at variance with that sentiment. It was indeed stated, that religious restraints were the great cause of the rebellion; but it should be remembered, that among the rebels were to be found, not only Roman Catholics indeed, but also Presbyterians, and persons of other modes of faith, among whom there were various shades of religious opinions. He would not stop to endeavour to settle these points now; but he thought it was pretty evident from such men, uniting in this rebellion, they must be united by some common cement, different from any that could arise from religious sentiments; they were arranged under the general title of United Irishmen; they differed in many points, but their main object was to separate Ireland from this country, and to reduce Ireland to be a province to France, and this they would be glad to effectuate by means of French arms. Without entering into the speculations of Gentlemen about the causes of this rebellion, for this was not the season for it, the only question now was, should that House do every thing in its power to crush the rebellion in Ireland?

Some Gentlemen had wished to know whether there were not regular forces in this country that might be sent instead of the militia. He had no scruple in saying what the regular force of the country was; with regard to cavalry he had already stated, and that the volunteer corps were augmenting daily; but he could not detail the whole of the military force in this country. The militia force, as he had already stated, was more than double what it was a short time ago; nor had he any scruple in saying, that if any part could be spared, it was out of the militia force. He hoped the House would give him credit when he said, it was provident they should spare troops from that force which was the most abundant, and out of that which could be the most easily supplied and recruited. He knew that Gentlemen were not bound to believe him; but he alledged it to be the fact, that the militia was the military force, out of which troops could at this moment be most conveniently spared, under all the circumstances with which

this country was surrounded; for, gallant as the militia were, he was of opinion, it was well that they should be mixed with a certain proportion of regulars, in case of any danger in this country. Without entering into any detail upon that matter, he was ready to confess, that there was not now in this country a greater body of regular troops than was necessary to make up that mixture. Without explaining more of the matter, he would say, he was sure that the best mode that could be adopted by way of sending a military force to Ireland, was, that of sending 10 or 12,000 of the militia troops, and that no other aid would answer the purpose under all the circumstances.

He admitted it was not right to listen even to the zeal of men, in order to make encroachments on the usual rules of military affairs; he admitted it was against the usual rules to send a militia force out of the kingdom; he admitted there was a great inconvenience in it; he admitted he felt great pain in being compelled to bring down this message; he did not mean to state it in any other light than that of a great misfortune: but, here we were to strike, as it were, a balance between misfortunes, in examining one of them against the other; and that, in reality was the whole of the question. He would admit the truth of what had been said, that many persons will go under this measure, either from false pride or shame; that many will go who indeed would rather stay at home. He knew the measure now before the House was liable to many inconveniences; but he hoped the House would feel with him, that of all things the rebellion in Ireland was the greatest inconvenience; and therefore all other inconveniences must give way to it. And here he must explain the necessity of the measure, and say something on the probability of its being effectual, in case the House should adopt it. There was at present a large body of forces in Ireland. He could not undertake to say what force precisely would be necessary to quell the rebellion; but, in his view of the matter, every person that could possibly be spared should be sent to Ireland, and that the larger the force was, the better. Gentlemen asked, would 12,000 be sufficient? he could only say, from the information of military men, he hoped it would be sufficient; for it was observable, that much depended on the time in which the force was got ready, much depended on the rapidity of the measure, and indeed, in that consisted its chief merit. He should be extremely thankful for any suggestions from any quarter upon this important and most critical occasion, but he had not yet heard of any measure that was equal in all points to that which was now proposed. He should exceedingly like any plan that should

should have the effect of bringing back the militia again to this country; whether that could be done by training others so as to make them fit to supply the place of the militia, he knew not, but he should be very glad if any thing of that kind could be done; but, at all events, this measure should be adopted speedily, for more might be done perhaps in a week now, by ten or twelve thousand men, than double the number could afterward accomplish in a month. Indeed the advantages of expedition were not to be calculated, and, therefore, unless his hon. Friend, who moved the Amendment, could find something that would be as speedy as the measure now proposed, he would fall short of his own object; for the point was to act on the sudden, and to dislodge the Rebels from the places where they had erected the standard of rebellion.

As to the observations that were made on Ministers, that they were the men to whose machinations the whole of this evil was owing, he regarded it as a piece of declamation, in which the hon. Gentleman was welcome to amuse himself as much as he pleased: and as to what had been said upon his not having invited the hon. General (Tarleton) to take a share against the Rebels, he did not invite him, it was true, but it was true also that he had no power to do so. He said nothing about the propriety of employing him; he had, however, no doubt if he was employed, he would soon forget his politics, and become a very good officer, and he could dare say he would imbrue his hands in as much blood as would be necessary for his object.

Something had been said that night, as if he was an enemy to the Roman Catholics. He had never said a single word against the Catholics. He had supported a Bill for them; but was he to be blamed because a Bishop, or ten Bishops, acted otherwise in another Act of Parliament?

As to the subject which had been alluded to with regard to Lord Petre and his son, and the honourable Gentleman, stating that he was not a favourite with Administration because he was a Member of the Whig Club, he could only say that circumstance had no weight with him, for he did not know that he was a Member of the Whig Club; and he desired to be considered as not acting in that case upon any party prejudice. The hon. Gentleman had also taken notice of some circumstances relative to another Member of the Whig Club, and had complained of the manner in which a noble Duke had been treated by Ministers. True it was, that he differed in politics from that noble Duke, and he felt no uneasiness, either night or day, on that account. The offer made by the noble Duke was very noble and liberal, and highly be-

coming his rank undoubtedly ; but he had said at the Whig Club that there was much impotent malice shewn by Ministers against a right hon. Gentleman (Mr. Fox), as well as against all those who were attached to him ; he knew of none of that malice. In point of fact there were many men serving in military capacities who had shewn an attachment to that Gentleman. But if he was asked the question, he confessed he did not feel it a pleasant thing to be sending confidential directions and orders to a person who thought of him and of Ministers as that noble Duke had expressed he thought. The noble Duke, in a paragraph, had stated of Ministers what he did not think they deserved ; and all he did was to submit to the old corps, who were proposed to be united to his, how far they should think it an improvement of their establishment, to give the command to a person who had no confidence in those whose directions he was to obey ; that there could be no intermediate confidence between the noble Duke and his Majesty's Ministers, and he would confess candidly, that he did not see any reason why he should have any more confidence in the noble Duke than the noble Duke had in him ; he had not said any thing but what he had a right to say, which was, that there could not be any mutual confidence between the noble Duke and his Majesty's Ministers. The noble Duke had a right to speak out, but he hoped the King's Ministers had a right to do the same thing.

He did not recollect that there were any more arguments for him to answer upon this occasion. He had only now to observe, that he had stated it as a measure of necessity ; that the House now had it in their power to employ a large body of men, his Majesty's faithful and good subjects ; that they had before them a chance of bringing the rebellion to a speedy conclusion ; that they had a force offered to them in a manner that called for great praise. The simple question therefore was, whether the House would take upon itself the responsibility of letting the rebellion go uncrushed when they had an opportunity of crushing it. Those who thought that the future inconveniences of this measure were not to be put on a footing with the inconveniences of rebellion, would not reject the opportunity, but would, by agreeing to the Address, enable his Majesty to avail himself of the service of a respectable body of military force to put an end to rebellion. Those who thought they ought not to allow his Majesty to have that advantage without examining into circumstances,

cumstances, and who chused to take upon themselves the responsibility of risking the fate of Ireland and of England, would give to his Majesty advice accordingly.—Thank God, the was not of that opinion.

Mr. *Sheridan* explained what he said with respect to Ireland becoming a post of France, the right hon. Gentleman had said, that his observation was inconsistent with what he had said on a former occasion; what he said was perfectly consistent; he had said that the Government could not keep Ireland while all the people there were against the Government; and that they could not change the people of Ireland without a change of system. And as to what he had said on uniting the people of England to support Ministers against the French, they were not in the same situation as the people of Ireland.

Mr. *Tierney* rose. He set out by expressing his regret, that the serious question before the House should be treated with what he called a degree of cheerfulness, by the right hon. Gentleman; for if ever there existed a Minister in this country who more than another should mourn for the country, it was the present—he should come to the House clothed in sackcloth and ashes, to find himself obliged, in the fifth year of the war, and after an expenditure of above two hundred millions of money, to bring down to that House such a proposition as the present. He then adverted to the circumstance of there being no official communication to the House of the rebellion, before Parliament was called upon to take such an important step; this he considered as a serious omission; and observed, that the right hon. Gentleman should be aware of the necessity and propriety of such a proceeding, as he had served an apprenticeship to rebellion—(alluding, probably, to Mr. Secretary Dundas being in office during the American War)—he could not be at a loss for the mode or form of making this communication; for the case of communicating the American affair to the House from the Throne, was directly in point. He then begged that his Majesty's Message to the House on the 7th of March, 1774, might be read. It was accordingly read by the Clerk, and contained in substance a communication of the circumstances which had previously arisen in America, and the measures which his Majesty had thought proper to adopt, with respect to the port and town of Boston; and requiring the House to consider what further provisions and regulations might be necessary.

necessary for counteracting the machinations of the disaffected, &c. This Message was accompanied, the same also stated by several papers and documents, for the information of the House.

Mr. T. resuming his observations, said, that those proceedings were such as should have been adopted on the present occasion. A week was then allowed before the King's Message was taken into consideration : but how different was the mode adopted in the present instance? No communication whatever was made to Parliament of the existence of the rebellion ; and the present Message, containing a most important question, was brought down to the House one day, and ordered to be considered the next.

Mr. Tierney said, that the practice of those times was different from that which now prevailed. A Message was not then sent down on the one day, to be considered on the following. He was now told of machinations in Ireland, of the existence of rebellion in which country he was only informed by the letters to the Lord Mayor, and with no official documents on the subject ; he was called upon to pronounce Ireland in such a state as to justify the sending out of the country a body of men, whom, in all events, it would be highly unconstitutional, but, in the present case, highly culpable to send. If Ireland was so situated, as that the presence of this body was essential to its preservation, it became necessary for him to watch the interests of England. He should not, he trusted, be suspected of a disposition to separate the interests of the two countries, but if the interest of the one clashed with that of the other, it became him to recollect that he was a representative of England, and though no man was better disposed towards the whole empire, and to support the dignity of the Crown, he should never consider himself as justified in going the lengths proposed, in which there might be danger to England. If the House would give him credit, there was not a man in it who had less inclination to give countenance to a rebellion plotted in concert with the existing Government of France. To rebellion of all sorts he had the greatest aversion ; but his abhorrence was particularly great from one fomented by the French Government, at whom, as a friend to liberty, he could not look without horror, at the abominable conduct of the French, whose latter actions had much altered his opinion of them : he once saw them engaged in a struggle for the emancipation of millions of human beings, but they were
now

now pursuing only the dictates of mad ambition, and schemes of aggrandizement. It the honourable Gentleman should attempt to convince him that the measures pursued in Ireland originated in the agency of France, he would have great difficulty, as he could not conscientiously believe that France had any share in them. Not having the opportunity of reference to official documents, he could only form his opinion on such information as he was able to collect: For instance, he found that Lord Fitzwilliam was of a different opinion, and that his Lordship had not formed his opinion from the consequences of the measures which had been pursued, but that he now referred to letters written three years ago, in which he urged the necessity of concession to the Catholics. Unfurnished with any official document, Mr. Tierney said, he should feel himself as much disposed to give credit to the noble Lord, as to the statement of the right honourable Gentleman. It was certain that the people were in arms against the Government; nor was it easy to conceive how, having been scourged, burnt and massacred, they should have any other feeling than aversion to the Government. What could he think of a Government by which General Abercrombie was dismissed, for adding to his other excellent qualities that of humanity? He could not consent to send troops to a country where one General was dismissed for his humanity, and another called to an account for sparing 4000 men. Was he to give his sanction to sending fresh troops, the Gentlemen and Militia of England, to be commanded by what he called only a desperate Irish faction? The hon. Gentleman ought to furnish him with proofs that the rising in Ireland was at the instigation of France. He certainly did not oppose the interests of the empire, nor hazard the exposing of that country to the risk of becoming a post for France, as he did not believe that sending troops was calculated to prevent that evil which was only to be averted by gaining the affections of the people. He did not in this offer any opposition to the constitutional right of his Majesty to send out of the country any of the regular troops, but when called upon to aid and abet in sending troops to Ireland, he would not give a man, nor a guinea, until the true cause of the rebellion was known; and until he knew what were the measures which it was intended to pursue, whether of coercion or conciliation; he might indeed stand by a patient spectator, but he would not be an accessary. Viewing the question in another light, the hon. Gentleman had said, that he

he did not consider the measure proposed as unconstitutional. Mr. Tierney read the Preamble to the Militia Act, and observed, that that force was intended not only as a body for the defence, but that it formed a part of the constitution of the country, from which the greatest advantages were derived.—Where was a substitute to be found for this body? He had heard a rumour that it was to be found in the Irish Militia, who were to be introduced here; but this, he hoped, was untrue. It was the evident meaning of the Act, that the men, if disposed, should not be permitted to leave the kingdom, as the tenor of their oath was to serve faithfully in Great Britain. No answer had been given to the argument which had been urged, that all the regulars were not yet sent out of the country. It was obvious, that a militia, embodied for five years, was sufficient for all domestic purposes, and as there were 3500 guards, he thought the militia were competent to do their duty. It was to be observed too, that those who had offered to go, had no right thus to dispose of their services, since the militia was a body for the general defence of the country, and part of those raised in Devonshire, belonged as well to Northumberland as to their own county. He would suppose a case, that some officer might have large Irish property, and that this might influence him; was he then to be furnished with a regiment of militia to accompany him in his visit to his tenantry?

He had on a former night objected to the Guards being sent to Ireland, as from the nature of the service, they would return worse soldiers, after living at free quarters, than they were when they went. Yet the Guards returned to excellent discipline. But what would be the situation of a militia-man, who did not return to such a state of discipline, but went back to his little hamlet after the period of his service had elapsed, familiarized to rapine?

Mr. Tierney then reprobated the conduct of Administration, in the rejection of the offer made by a noble Duke; and concluded by expressing his determination not to support, by a single man or a single guinea, a Government so administered as that of Ireland, until satisfied that the Rebellion proceeded from the interference, operating on the discontented in that country; nor would he send 12,000 of the Militia of this country to the assistance of men, whose conduct, he said, had been most scandalously disgraceful.

Mr. *Wilberforce* declared, that though the late hour at which he rose would prevent his occupying much of the time of the House,

House, yet he could not be satisfied with giving a silent vote, partly on account of the singularity no less than the importance of the question, partly because his sentiments and feelings on it did not exactly coincide with those which any Gentleman had expressed in the course of the present debate.

They who had contended for the propriety of accepting, under the present circumstances of the country, the generous offer of a certain number of militia regiments to serve in Ireland, did not seem to think the measure half so objectionable in itself, as he must confess it appeared to him. Not that he could admit the weight of some of the arguments by which the measure had been opposed by Gentlemen on the other side of the House; for instance, that of the hon. Gentleman who had just spoken, who had strangely and most unwarrantably contended, that the militia-men, by the engagement which they took on entering into that body, to serve any where in Great Britain, were precluded from serving out of Great Britain, even by their own consent. What sort of an argument was it, that by engaging to do a particular thing, or up to a certain extent, a person precluded himself from doing something more, or beyond that extent, if he chose it? There were also some other arguments urged by Gentlemen on the opposite side, which he should notice hereafter, and in which he begged it might be understood he did not concur. Those he meant which proceeded on the ground of its not being clear, whether the Rebellion of the Irish was not justifiable, and our opposition to it unjust and immoral. But yet, there were objections against the measure, of which he could not but acknowledge the weight. He felt it his duty to declare that he considered the measure as being but too likely to be productive of lasting injury to that most excellent institution the Militia; and further as being in the strictest sense *unconstitutional*. He would explain the sense in which he used the word unconstitutional, because he thought that several Gentlemen in the course of the debate, had used it in a vague indefinite way without annexing to it any distinct or specific meaning. The circumstance which rendered our Militia so dear to us, as a constitutional force, was its being officered by country gentlemen, men of property, of family, of domestic connections, of personal influence, whose arms were in no conjuncture likely to be turned against their country. Now (Mr. Wilberforce observed) he feared that it was the too natural tendency of the measure now proposed, to discourage and prevent Gentlemen of this description from entering so freely into the militia. It might therefore tend to render it necessary for Parliament hereafter to relax, and by degrees

even to annul, the regulations which confined the commissions of officers to persons of this description; and it was obvious that the militia, if officered like the army would cease to be the constitutional force it was at present.

Mr. Wilberforce could not but admit also, that there was much force in an objection urged by gentlemen on the other side, that offers of the nature of these of which he was now speaking, however voluntary in name, were often not so in substance. These were cases in which many gentlemen might not feel themselves at liberty to hold back, and refuse to join in the offer of their comrades, not only though the extension of their service might be highly inconvenient and disagreeable to them, but though it might be directly contrary to their ideas both of rectitude and of policy. This, in short, was one of the occasions on which Mr. Wilberforce said that principle of false honour (the absolute authority of which he had so often reason to regret) would determine a man to act against his sense, both of duty and of interest. It was, however, matter of no small satisfaction in the present instance, that there was every reason to believe, that the offer to serve in Ireland had come not from the officers, who might have been supposed desirous of distinguishing themselves at the expence of their men, but from the public spirit of the privates and non-commissioned officers, and from their honest zeal in the cause of their country. But after all this; strong as he felt these objections to be, yet what was to be done? A rebellion to a most alarming extent had broke out in Ireland, and continued to rage even with encreasing violence. If it had grown into a maxim of unquestionable authority, "in war, he who gains time gains every thing;" in the case of an insurrection, and above all, of an insurrection in a country circumstanced like Ireland, the maxim was still more clear, and of infinitely more cogent application. It was plainly intimated that we had no other force to send, and it was impossible for the necessity to be stated in stronger terms than those which had been used by the right hon. Secretary (Mr. Dundas), who declared, that even if he knew an attack were even now about to be made on this country, he should yet judge it necessary and advisable to send away so much of our force.

But some Gentlemen had objected that the rebellion in Ireland had perhaps been owing to the mismanagement and oppression of our government. What then? Was it therefore not to be suppressed? He would abstain from discussing that perhaps difficult question of practical morality, Whether it were just to take part in a war when commenced unjustly, though

though indispenfably neceffary to our fafety? and therefore for the prefent he would forbear from enforcing the pofition univerfally admitted, that Ireland's coming into the poffeffion of France might be the ruin of Great Britain. But waving this, and not confidering its confequences to ourfelves, would it be productive to Ireland itfelf? The honourable Gentleman argued as if it were an advantage and a privilege of which you were depriving the rebellious Irifh, by preventing their joining themfelves to France. But again—Gentlemen argued againft the prefent meafure, becaufe they wifhed that conciliatory meafures fhould be tried rather than coercive, and that the effufion of blood fhould be fpared. It was precisely thefe very confiderations Mr. Wilberforce declared which urged him moft powerfully to fupport the prefent meafure. The force actually in Ireland at prefent, might perhaps be fufficient, in the end, to reduce the rebels to fubjection, but it could only be after a long and fevere ftruggle: and if you wifhed to difpirit the rebels, and to induce them to defift from their efforts, you muft ftrengthen the hands of government by powerful reinforcements, in order to convince them that all further refiftance would be fruitlefs. Would you feed the rebellion, fend fuccours but juft fufficient ultimately to fupprefs it; would you at once ftifle it, let your reinforcements be large. But if this was true on the principle of our depending on the force of arms for putting an end to the rebellion, how much more was it unqueftionably true on the principle of your terminating the rebellion by confeffion and conciliation. Except you were fo unambiguoufly ftrong as to be certainly able to defeat the greateft force the rebels could bring againft you, confeffion could not fail to be interpreted into fear and would tend only to infpirit the efforts of the rebels, and infufe into them a contempt of your ftrength. It was not, Mr. Wilberforce declared, that he was infenfible to the fuffering of Ireland, or that he did not feel deeply for the melancholy fituation of the people of that country. The prefent was not a time for difcuffing the caufes which had rendered the Irifh in general that uncivilized and barbarous people they were confeffed to be. He would only hint at his opinion, that the caufes of thefe evils would be found on careful investigation, not to have taken their rife from any fystem purfued by the prefent Government, (more he verily believed had been done for Ireland of late years than perhaps for a century before) to be the fruit of old and long ftanding grievances, in which, accord-

ing to the course of Providence, we were now suffering the bitter consequences of long past misconduct and neglect. He had often felt deeply on this subject, and could not help protesting against the kind of sensibility which he saw in some Gentlemen, who seemed not to begin to feel for the wretched state of the lower Irish, until it became, for party purposes, a convenient subject of lamentation in that House. But all this was beside the subject now before them. On the present occasion, however, convinced that the measure was in itself objectionable, he must give it his decided support on the ground of its indispensable necessity, and even still more on the principle of its being calculated to spare the effusion of human blood, and to give the King's government the power of proceeding in the spirit of conciliation and lenity. He could not but hope that his Majesty's ministers would rejoice in any opportunity of acting towards a set of deluded men on these humane principles, and he was sure nothing would be so likely to give them the means of so acting, as to support the present question.

Lord George Cavendish was of opinion, that the rebellion in Ireland could not be crushed but by an armed force; but he blamed ministers for not seeing this matter sooner, and being much better prepared for it. The question with him, was not whether a military force should be sent to Ireland, but what was the nature of that force. Sending the militia was entirely unconstitutional, and he was afraid that this measure would destroy the nature of the institution of the militia itself.

Sir W. Pulteney agreed with Gentlemen on both sides, that this was a matter of great importance, and must have a great effect on the militia in future. The Secretary had considered this as a light inconvenience, but he thought otherwise; he regarded it not only as a great, but also as an alarming inconvenience. He asked, whether we had not seen that a system of coercion had not answered the purpose? It was manifest to him that there was some dreadful mistake in the management of the affairs of Ireland. The rebellion was not owing to Jacobins. However, he was afraid that sending the militia was now unavoidable, but this was no excuse for those who brought us into the embarrassment.

Mr. Manning was anxious that the measure should be carried into effect with as much attention to constitutional principles as possible. He wished that his Majesty should be empowered to offer a bounty to such militia-men as should
 chose

chuse to enter, to fill up the vacancies in skeleton regiments; that the militia-men should have permission granted them so to do; that they should receive a bounty; should serve in their present uniform, which would give them a very honourable distinction; and on their return, they should have their discharge, or at their option should remain in the regiment to which they were attached. Thus, not a moment's delay would be occasioned in sending troops to Ireland, and thus having raised 12,000 men constitutionally, it would be easy to fill up the vacancies in the militia from the Supplementary Corps, which had in many counties been understood, been attached to the militia itself. He should vote for the amendment proposed by Mr. Banks.

Mr. Dundas rose to explain, but being prevented by the Speaker,

Mr. Ryder observed, that not having spoken, he wished to submit to the attention of the House, the difference between the measure proposed by the Address, and that which the honourable Gentleman who had just spoke had brought forward. The great objection to which the latter was liable was, the delay which would necessarily be occasioned by drafting men into different corps. As it was at first proposed, the men would serve under their own officers, would be actuated by the *esprit de Corps*, and would have a regard to their credit and reputation. By drafting them into skeleton regiments, these advantages would be lost; but what is more material, time also would be lost. If the delay which it occasioned was only that of a week, it was impossible to say how much it was to be avoided, if possible, since what 12000 men might accomplish in the beginning of the week, 24,000 would be unequal to effect at the end of it. At the same time he thought that in other circumstances the measure was deserving of the attention of the House.

The House then divided on the question for the amendment,

<i>Ayes</i>	-	-	-	47
<i>Noes</i>	-	-	-	118

Majority against the amendment, 71

The original motion was then put and carried; after which the House adjourned at half past ten o'clock.

PROTEST.

PROTEST.

Entered upon the Journals of the House of Lords against a Bill entitled, "An Act empowering his Majesty for a time, and to an extent to be limited, to accept the services of such parts of his Militia Forces in this Kingdom as may voluntarily offer themselves to be employed in Ireland," passing into a law.

DISSENTIENT,

Because, convinced that the very existence of the Militia, as a Constitutional force, depends upon strictly adhering to that great and fundamental principle on which it was originally established, namely, the Internal Defence of the Kingdom.

Because, any departure (under whatever circumstances) from conditions hitherto considered as sacred, and on which every engagement respecting the Militia service has hitherto proceeded, must create distrust with regard to its future destination, and hereafter render it extremely difficult to find persons of property and independence disposed to serve as officers.

Because, however laudable the offers lately made by certain Militia-corps to serve in Ireland undoubtedly are, it does not appear that those offers can be accepted without manifestly risking great and serious inconvenience to this country; and highly important as it is to crush, as soon as possible, the rebellion now unhappily raging in the Sister Kingdom, the proposed measure still appears highly exceptionable; nor can it be too much lamented if, from an unfortunate distribution of the forces of the Empire at large, tranquillity cannot be restored to Ireland but at the expense of the Constitution of Great Britain.

LEEDS.**DISSENTIENT,**

1st, Because the Militia being the only permanent armed force that can be lawfully maintained, and by its institution intended solely for the defence of this Kingdom, an offer to carry it out of the Kingdom could not be made consistent with the principles of the Constitution, and ought not to receive the sanction of Parliament.

2d, Because no communication relating to Ireland having been made to this House, or the advice of Parliament taken on the state of that Kingdom, it can have no means of judging of the propriety of any measures to be taken: And the only source of information being private accounts and unauthenticated publications, which assert that scourges and tortures have in numerous instances been inflicted to extort confessions and accusations, which illegal acts (being generally believed, and not having been contradicted by Lords in his Majesty's Councils when called upon to do it) might greatly tend to excite those Insurrections which the application of this force is intended to suppress.

3d, Because this bill has been passed with a haste and precipitancy incompatible with the cool deliberation requisite for a matter of such importance, and contrary to the wise regulations and orders of this House.

NORFOLK, E. M.**HOUSE**

HOUSE OF LORDS.

WEDNESDAY, June 20.

Strangers continue to be excluded from the debates in this House of Parliament, in consequence of Lord Sydney's motion being continued in force.

HOUSE OF COMMONS.

WEDNESDAY, June 20.

The bill for preventing persons, subjects of his Majesty, from voluntarily repairing to or residing in France, and for preventing correspondence with such persons, &c. was read a third time, and passed, on the motion of the Attorney General.

The bill for transferring the Salt duty to the management of the Excise, was taken into consideration. Several clauses were proposed by Mr. Rose, and agreed to.

He proposed one to allow Rock-Salt to be brought into Maryborough, in the county of Nairn; upon which a short debate arose, in which Mr. Wigley, Mr. Rose, Mr. Ryder, Sir M. Ridley, Lord Belgrave, and Sir W. Pulteney took part; after which the House divided,

Ayes (For the clause)	36
Noes - - - -	31

Several other clauses were read, and agreed to; after which the bill was read a third time, and passed,

Mr. Secretary Dundas laid before the House letters from the Colonels of the Oxford, Carnarvon, Old Royal Bucks, Denbighshire, Leicestershire, Warwickshire, Carmarthen-shire, Dorsetshire, and Hertfordshire; Militia regiments, offering their services to go to Ireland.

Lord Malden said, that the Herefordshire militia, which he had the honour to command, had offered their services, and he was surprised that they were not reported.

Mr. Dundas said, that this regiment had been omitted, not because its zeal had been overlooked, but because the offer was more general than was necessary to the present object. They offered to serve in any part of Europe. There was no specific offer for Ireland.

Colonel Walpole said, the offer was sufficient; Ireland, he apprehended, was within the offer, as it was in Europe.

MILITIA

MILITIA TO GO TO IRELAND.

The order for reading a second time the bill to enable his Majesty to accept the services of 12,000 men of the militia to go to Ireland, being read,

General Tarleton opposed the bill. He thought, that before the country was stripped of the militia, means should be taken for the defence of this country. The situation of this country, as well as Ireland, was critical. He entered into a statement of the military force of the kingdom, and concluded, that the whole force to which the defence of the whole coast of England and Scotland, Naval Armies, &c. was committed, were only 37,000 men, who had carried firelocks a year. The Volunteer corps were not in such a state of discipline as to be effective. The Provisional cavalry were not to be relied upon. With regard to the expedition to Quiberon and Ostend, he did not wish to say any thing upon the merits of the plan; but it surely was extraordinary that with such excellent troops and officers, these expeditions terminated in disappointment and mortification.

Mr. Dundas said, that the Volunteer corps which had come forward to offer their services, had been pronounced by officers of the greatest skill, to be in such a state as to be effective, if necessity required. And the Provisional cavalry, notwithstanding what had been said, were in general a corps which, in case of emergency, might prove of the greatest advantage to the country. With respect to the expedition to Ostend, it was one of which he was not ashamed; it was one, on the contrary, for which he might take credit. The success of that expedition prevented the enemy from bringing their vessels round to the point of rendezvous without being exposed to the activity and vigilance of our navy. That expedition had been strongly urged by Sir Charles Grey; and the authority of that great and respectable officer was sufficient to keep him in countenance for any share he might have had in advising that measure.

Mt. Zeyll justified the statement made by his honourable Friend (General Tarleton), and contended that it could not be construed into a personal attack on the Secretary of State. He would not now go into the particular topics that had this day been urged in favour of the measure. He would, however, take this opportunity of declaring, that in obedience to the dictates of his own conscience, and in compliance with the duty which he owed to the People of England, he ~~must~~ make

make all the stand he could against a measure which flew in the face of the constitution; for no information had been laid before the House to guide its judgment on the propriety of the motion, which was attempted to be hurried through the House without any thing like cool or mature deliberation, in the same insulting and overbearing manner in which ministers have carried by acclamation several other grave and important points; such as taking out of our pockets the tenth of our income; the suspension of the *Habeas Corpus Act*; and the blow lately struck at the Liberty of the Press. The word *disfeful* was introduced into the bill as characterizing the conduct of those corps who had offered to extend their services beyond the constitutional limit; but he would think them better entitled to it if they had shewn more respect for the constitution, and for the oath that bound them down to a particular service. He could see no better grounds for the epithets which were given by the bill to the disturbances in Ireland—they were there stiled an *unnatural and wicked* rebellion. But unless proper documents were laid before the House in proof of these assertions, how could the House be justified in assenting to them, or to the unconstitutional measure, which rested on no better ground than these assertions? Until such proper and regular documents were laid before the House to prove that an unnatural and wicked rebellion raged in Ireland, how could we know but that the people of Ireland had a right to make this resistance—(A murmur of disapprobation arose, and Mr. Secretary Dundas moved, That the Standing Order for excluding strangers be enforced, upon which the Speaker ordered the gallery to be cleared;).

The debate continued for some time, after which the House divided on the question for the second reading of the bill—

<i>Ayes</i>	-	-	43
<i>Noes</i>	-	-	21

Majority 32

The bill was then read a third time and passed.

Another bill of an important nature was then brought in; but, on the question for reading it a first time,

General Tarleton observed that it would be highly indecorous to proceed to the discussion of any business of importance in so very thin an attendance; and therefore he thought it his duty to move, that the House be counted; when it appeared, that there were not 40 members present. An adjournment of course took place.

HOUSE OF LORDS.

WEDNESDAY, *June 21.*

The public still continue to be excluded.

HOUSE OF COMMONS.

WEDNESDAY, *June 21.*

The *Speaker* informed the House that he had been in the House of Peers, when the Royal Assent was given by commission to the Land Tax act, the Clove and Cinnamon Duty act, and to the act for empowering his Majesty to avail himself, for a time, and to an extent to be limited, of the services of the Militia Forces, out of Great-Britain, &c. and to several private acts.

The *Speaker* acquainted the House also, that the bill for raising three millions on Exchequer Bills was the preceding day not proceeded in, for want of a sufficient number of members.

The House then proceeded upon the bill, which was read a first time, and ordered to be read a second time the next day.

The Import and Export Insurance bill was read a third time and passed.

Mr. Secretary *Dundas* moved, that the House do on Saturday next, resolve itself into a Committee of the whole House to consider of the late bill for raising a Supplementary Cavalry.

Mr. *Wigley* wished to know why the business was to come on on Saturday?

Mr. Secretary *Dundas* said, it was from no predilection of his for Saturday; but merely for convenience in the dispatch of public business, and he expressed a hope, the House would proceed at three o'clock.—Ordered.

The *Solicitor-General* moved the Order of the Day on the amended Alien bill.

Mr. *Jones* said, he still thought this subject had not been considered in the manner its importance merited. This was the second, and he was persuaded there would be a third measure of the kind, and that soon after the meeting of Parliament.

The *Solicitor-General* said a few words; after which the bill was read a third time, and passed.

The amendments in the Tanners and Curriers' bill being taken into consideration,

Mr.

Mr. *Dickenson* moved, That these amendments be taken into further consideration that day three months.—Ordered.

EXPEDITION TO OSTEND.

Mr. *Jekyll* said, he hoped the House would give him credit when he said that nothing could give him more pain than to make any representation that was not well founded. The preceding day he stated in the House, from the authority of letters he had seen, and which were received in London, that the canal and works at Ostend, the destruction of which was the object of the late expedition thither, had not been effected; that we had not put an end to that canal. He had, however, that morning received information from a distinguished officer, (Capt. Popham) assuring him, that his statement of the preceding day was erroneous, and that officer gave him evidence from various quarters. He had no ocular demonstration of the fact himself, for he remained on board, but he referred to an American officer who had, and he declared, that the works were blown up and entirely demolished; that the navigation of the canal was entirely put an end to; and that there was no current of water there now, except at the flowing of the tide; and that the works cannot be put in a state of repair in less than twelve months. He thought it necessary to say this, lest it should go abroad, as he had stated the preceding day, that the object of the expedition was not attained; he did this to quiet the minds of the gallant officers in the expedition, and the more so as the Commander in Chief, (General Coote) was there wounded. He was aware the former information he had received, and which he had stated in the House, would give pain to every feeling mind in this country. He was now persuaded, that the work of that expedition was fully done as far as depended on the gallant persons concerned in it.

Mr. Secretary *Dundas* said, that after this, no man could have any idea that the work was not done, nor was it possible to say that the hon. Gentleman had mistated the thing wilfully.

Counsel was then heard on the Scots Distillery bill, after which the other orders of the day were deferred, and the House adjourned.

HOUSE OF COMMONS.

FRIDAY, *June 22.*

Previous to the appointed business of the day, General
5 B 2 *Tarleton*

Tarleton brought forward to the attention of the House the two following motions, which were assented to unanimously :—

That a return of the King's Troops employed on the late expedition in the neighbourhood of Ostend be laid before the House.

That a return of the Officers and Men, distinguishing their regiments and corps, who return from that expedition, be laid before the House.

General *Tarleton* said, he was under the necessity, in compliance with the forms of the House, of bringing forward these motions, in order to enable himself to comment upon a statement of the preceding day, as well as on the late operations in the vicinity of Ostend. He censured his Majesty's Ministers with considerable severity for their military arrangements, which produced nothing but misfortune and disgrace to the country. He imputed no blame on the present occasion to the gallant officers or brave men employed on the expedition, and he neither retracted nor explained away the epithet *chimerical* which he had used in the House on Wednesday last.

Mr. *W. Boote* moved that the Standing Order be enforced relative to the exclusion of strangers.

Mr. *Sheridan* said, it was very extraordinary that such a measure as this should be resorted to; he knew that any member of that House had a right to enforce the standing orders of the House, but he wished the House to reflect a little on the possible effect of it, for any other member had a right to enforce any other standing order, which would obstruct the business of the House in such a manner as to render impracticable many of its present rules of proceeding. Perhaps some gentlemen were not aware of the extent of the standing order for the exclusion of strangers, for it directed not only that no strangers should presume to stay in the gallery, but that if there were any found there, in the lobby, or in any of the avenues leading to the House, such strangers should be immediately taken into the custody of the Serjeant at Arms [Here he read the whole of the order]. He then contended that the appearance of strangers in the gallery was the foundation for moving to enforce the standing order. When that House enforced the order, the Serjeant at Arms was bound to take every man who appeared in the gallery, and the avenues leading to the House, into custody; which would certainly be a laborious duty at the present moment, since the gallery was full of strangers. This he stated, to
show

show the practical inconvenience of enforcing the standing order, and he appealed to the chair whether he was not correct in his statement as to the extent of this order.

The *Speaker* said, that undoubtedly the standing order was as the hon. Gentleman had stated it, and it was competent to any hon. Member at any time to move it, and the House directing the order to be enforced, would presume nothing but that the Serjeant at Arms should execute the order in conformity to the commands of the House; but although the order might be executed to its full extent, yet he apprehended it was competent to the House to enforce its own orders, either in all or in part; the House would therefore determine whether it would enforce the whole of the standing order, or be satisfied with enforcing that part of it which was usual upon this motion---which was, merely to cause them to withdraw.

Mr. *Sheridan* then said, it did really appear to him an alarming thing to take such steps as these to prevent the public from being acquainted with the proceedings of the House. He really thought that the practice of making public the substance of the speeches of Members of Parliament was a very useful and a very laudable practice; he thought the public had a right to expect that indulgence; he knew of no harm it could possibly produce---much advantage had resulted from it already, and the practice had continued now for many years without any interruption. [Here there was a very great cry of No! No!] He said, he knew there were some exceptions to it, but they were very few, and he thought it would have been better if there were not any. But, however, the practice of the House upon such occasions, as stated from the chair, and stated very accurately, in enforcing only a part of the order, namely, that of merely turning strangers out, was clearly, not only against the letter, but also against the spirit of the order; the order certainly was, that strangers being found in the gallery during the proceedings of the House, should be taken into custody of the Serjeant at Arms. It was now late in the sessions, and the inconvenience of excluding strangers would not be so considerable as if at the commencement of a session; but however, he wished very much, that these measures were not brought forward, but since they had been insisted upon, he maintained that the whole of the order must either be enforced, in which case every stranger must be taken into custody, or the order must be waved altogether.

The

The *Speaker* said, he should proceed in this case, as he had always proceeded, and as his predecessors had proceeded in similar cases: which was, to order strangers to withdraw; it was certainly competent to the House to proceed to the full extent of the order, but he apprehended, it was competent also for the House to proceed in part only, upon the order. He then ordered strangers to withdraw.

General *Walpole*, with uncommon warmth, reprobated the motion for enforcing any part of the standing order. He contended that the people had a constitutional right to be informed of the proceedings of the Members of that House, but it appearing that the hon. Member who had made the original motion remained inflexible, he should vote for the whole of the order being enforced.

At this period the cry of "withdraw, withdraw," became more loud, and in a few minutes the Serjeant at Arms appeared in the gallery, which was immediately cleared.

STATE OF IRELAND.

Lord *George Cavendish* then rose, and, after a short and emphatic speech, introduced the following series of resolutions, as a proper system to be adopted by the House for the salvation of Ireland:

1. Resolved, That whenever this House is called upon to vote supplies of men or money, to be provided by levies and taxes on our Constituents, it is our right and duty to watch over and controul the purposes to which they are to be applied.

2. Resolved, That this House is ready to make every exertion in its power to enable his Majesty to repress and subdue all insurrections and rebellion against his lawful authority, trusting that his Majesty will temper acts of necessary severity with mercy, and never lose sight of that equitable and protecting policy, which, by the redress of all real grievances, may secure to him the loyalty, confidence, and affection of his people.

3. Resolved, That it is the opinion of this House, that although at all times we shall be ready by all just means to maintain the unity of the British Empire, and our connection with Ireland, as an integral part of that empire, yet we never can believe that it is his Majesty's wish to support or countenance the principle of permanently governing that country as a conquered and hostile country, a principle no less contrary to the fundamental maxims of universal justice, than to the mutual interests of the two kingdoms.

4. Resolved, That in the opinion of this House it is the duty of his Majesty's Ministers to advise his Majesty, that he would be graciously pleased

pleased to repeat the recommendation he made through the Lord Lieutenant of Ireland to the Legislature of that Kingdom in 1793, 'seriously to consider the situation of the Irish Catholics, and consider it with liberality, for the purpose of strengthening and cementing a general union of sentiment among all the classes and descriptions of his Majesty's subjects, in support of the established Constitution.'

5. Resolved, that it is the opinion of this House, that such persons as have uniformly, and on all occasions, expressed their disapprobation of measures of concession and conciliation, and under whose Administration his Majesty's Kingdom of Ireland has been reduced to a situation so imminently dangerous to the general interests, happiness and power of the whole Empire, cannot be effectual channels of his Majesty's royal grace and beneficent intentions towards their fellow-subjects.

The noble Lord concluded by moving the first resolution.

Lord *John Russell* seconded the motion.

Mr. *Canning*, in a speech of more than an hour, opposed the motion; and concluded with moving the order of the day on the whole series of resolutions.

Mr. *St. A. St. John* followed Mr. *Canning*, and urged the powerful necessity of adopting the system recommended by the noble Mover and Seconder.

Mr. *H. Addington* opposed the resolutions.

Dr. *Lawrence* enforced the necessity of adopting them.

Mr. *Fox* made a long speech, in which he gave notice of a motion, if the series of resolutions opened by his noble Friends should be negatived.

Mr. *Dundas* followed Mr. *Fox*.

Mr. *William Grant* and Mr. Serjeant *Adair* spoke against the resolutions.

Mr. *Grey*, Mr. *Sheridan*, &c. in support of them.

The House then divided:—

<i>Ayes,</i>	-	-	-	-	-	-	66
<i>Noes,</i>	-	-	-	-	-	-	212

Majority - - - 156

The other motions of Lord *George Henry Cavendish* were then severally put and negatived.

Mr. *Fox* then moved the following proposition, which he had announced in his speech:

Resolved, that this House understanding it to be a matter of public notoriety, that the system of coercion has been enforced in Ireland with a rigorous shocking to humanity, and particularly, that scourges and other tortures have

have been employed for the purpose of extorting confessions, a practice justly held in abhorrence in every civilised part of the world, is of opinion that an immediate stop should be put to practices so disgraceful to the British name; and that our best hopes of restoring permanent tranquillity to Ireland must arise from a change of system, as far as depends on the Executive Government, together with a removal from their stations of those persons by whose advice these atrocities have been perpetrated; and with regard to whom the afflicted people of Ireland can feel no sentiments but those of resentment and terror.

The motion was supported by Mr. *Sheridan* and Colonel *Walpole*, and opposed by Mr. *Douglas*, Mr. *Wilberforce*, Mr. *Adair*, and Mr. *Dundas*.—The House then divided—

<i>Ayes,</i>	62
<i>Noes,</i>	204

Majority, - - - 142

Adjourned at half past four in the morning.

LIST OF THE MINORITY,

On Lord G. CAVENDISH's Motion respecting the Insurrection in Ireland, on Friday, June 22, 1798.

Aubrey, Sir J.	Fletcher, Sir H.
Bartley, G.	Fox, Hon. C. J.
Baring, Sir. F.	Greene, J.
Beauclerk, C. G.	Grey, C.
Biddulph, R.	Harc, J.
Bird, W. W.	Hawkins, Sir C.
Bouverie, H. E.	Hobhouse, B.
Brogden, J.	Howard, H.
Burch, J. R.	Huffey, W.
Burdett, Sir F.	Jefferys, N.
Byng, G.	Jekyll, J.
Coke, T. W.	Jervoise, J. C.
Coke, E.	Jones, Thos.
Colhoun, W.	King, Sir J. Dashwood
Cotabe, Alderman	Lawrence, Dr.
Courtenay, J.	Lemon J.
Damer, Hon. L.	Lemon, Sir W.
Denison, W. J.	Lloyd, J. M.
Fitzpatrick, General	Milford, Lord

Milner,

Milner, Sir W.	St. John Hon. St. A.
Nicholls, J.	Tarleton, General
North, Dudley	Taylor, M. A.
Northey, W.	Taylor, W.
Peirce, H.	Thompson, T.
Plummer, W.	Tierney, G.
Porter, Geo.	Townshend, Lord J.
Pulteney, Sir W.	Tuiston, Hon. H.
Rawdon, Hon. George	Tuiston, Hon. J.
Richardson, J.	Vyner, R.
Robson, T. B.	Walpole, Hon. G.
Russell, Lord W.	Walwyn, J.
Sheridan, R. B.	Western, C. C.
Spencer, Lord R.	Whitbread, S.

TELLERS.

Cavendish, Lord G.

Russell, Lord J.

HOUSE OF COMMONS.

SATURDAY, *June 23.*

PROVISIONAL CAVALRY.

The House went into a Committee of the whole House upon the Provisional Cavalry Bill, upon the motion of Mr. Secretary Dundas.

A long conversation took place upon the several amendments that were proposed and adopted; after which the report was received, with a view of having it taken into further consideration on Monday, and of reading the bill a third time on Tuesday. Ordered to be printed.

NABOB OF OUDE.

Mr. *M. A. Taylor* said, that as he saw an hon. and learned Gentleman who was at the head of the Board of Controul for the Affairs of India, he now gave notice that he should in another Session of Parliament, when the subject can be best discussed, move for the production of certain papers respecting a transaction which, from the public prints, he saw had taken place in India, respecting the Nabob of Oude. He should be unwilling to say any thing against the Governor General, especially in his absence; but, having some knowledge of India affairs, from a situation which he once filled, unworthily, he should think it necessary to bring the matter he alluded to before the House—that was, the deposition of one of our chief allies. He hoped that such docu-

ments would be laid before the House as would enable it to form a just opinion upon that event. What had been done might be very right or very wrong, he said nothing on either side upon that subject; and he begged it to be understood, that he threw no aspersions on the Governor General; he only mentioned this by way of notice of what he intended to do in the next Session.

MAROONS.

General *Walpole* said, he hoped the motion, which he held in his hand, would not be considered as having so inflammatory a tendency as to require the gallery to be cleared of strangers. He then moved, that there be laid before the House an account of such sums of money as have been granted by the Assembly of Jamaica for settling the Trelawny Maroons, and also the disbursement of the same. He said he did not mean now to give notice of the specific motion he should make upon this subject; he should hold himself at liberty to bring forward a motion upon that subject upon whatever ground, or in whatever shape, he should think necessary, without further notice. He took this course, because he was misunderstood upon his notice on this subject last year.

Mr. *Huskisson* brought up extracts of letters to the Secretary of State, signifying the readiness of the following regiments of militia to go to Ireland.

The South Devon, the Leicestershire, the West Suffolk, the Carnarvon, the Isle of Wight, the Hereford, the South Lincoln.

These papers were ordered to be laid on the table.

The One Million Exchequer Bill was read a third time, and passed;

As also the Bill for explaining, amending, and settling the duties now payable upon vellum, parchment and paper, and all other materials liable to the Stamp Duties;

As also the Three Million Exchequer Bills' Bill.

As also a Bill to empower his Majesty to issue Exchequer Bills, on the credit of the probable produce of the new duties on Imports, Exports, and Tonnage.

The Taxed Carts' Bill passed a Committee of the whole House, and the Report was ordered to be received on Monday.

On reading the order of the day, for allowing Rock Salt to be refined and made at one place in Scotland,

Colonel *Cholmondeley* opposed it, as did also Mr. *Wigley*;
and

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and a division being called for, there appeared only 18 Members in the House; and an adjournment took place of course.

HOUSE OF COMMONS.

MONDAY, June 25.

A Message from the Lords informed the House that their Lordships had agreed to the Newspaper Bill, the Bill for abolishing certain Places in the Customs, the Slave Carrying Bill, and the Bill for the administration of assets in certain cases.

SCOTCH DISTILLERY.

The Scots Distillery Bill was read a third time; and, on the motion, that the Bill do pass,

Mr. *Sheridan* rose to oppose it. In his opinion, it was a measure pregnant with many dangerous consequences. It had already spread great discontent throughout almost all parts of Scotland; and it was reprobated not only as violating the articles of the Union, but even the very faith which Government had pledged to that country. These violations he instanced in the case of taking the assize on barley, not malted; and he trusted that the candour of the hon. Gentleman who had introduced the Bill would incline him to permit a short delay, for a more thorough and mature investigation of the evil effects with which it was more than probable the measure must be attended. It was therefore his wish that it should be deferred till next Session.

Mr. *S. Douglas* said, that both he himself and the other framers of the Bill had paid the utmost attention to its provisions, and had made it perfectly palatable to those who were most deeply concerned in its issue; he had even that day conversed with them on the matter, without having heard any objections against it. To the motion of the hon. Gentleman for postponing it till next Session, he could never consent; for the mere deferring of it till next Session would be a loss to the revenue of nearly five hundred thousand pounds. He stated these his objections to the procrastination of the bill in the hearing of Gentlemen whose interests it materially involved, and he most willingly left it to them to decide on the degree of weight due to the arguments he had advanced. The bill, moreover, was only to be in force till April next, and might even be abrogated, if it was thought expedient, at the commencement of next Session.

Mr. *Sheridan* merely wished for time to call in and to hear

HOUSE OF COMMONS.

TUESDAY, *June 26.*

Two new writs were ordered to be issued for members to serve in Parliament; one for the borough of Malton, in the room of W. Baldwin, Esq. who had accepted of the Chiltern Hundreds: the other for the Borough of Hastings, in the room of Sir James Sanderfon, deceased.

Mr. M. A. Taylor gave notice, that early in the next Session of Parliament he should move for the repeal of the last Assessed Taxes Bill,

The report of the Cavalry Bill was taken into further consideration, many amendments agreed to, the report was received, the bill ordered to be ingrossed, and afterwards read a third time and passed, on the motions of Mr. Secretary Dundas.

General Tarleton expatiated on the pernicious mode of recruiting the army, which had obtained for several years, as long ago indeed as the time of the Spanish and Russian armaments. It had been reprobated by General Burgoyne, an officer now no more, but whose sentiments on the subject no man could treat with disrespect. One of the means formerly used was to permit men of large fortunes to raise regiments, by which means they were able to step over the heads of veteran officers, but that mode was now found ineffectual, as no bounty was found to be a sufficient temptation, and the only method now resorted to was in the way of Fencible regiments. General Tarleton moved, That there be laid before the House returns of letters of service for raising corps in Great Britain, both of infantry and cavalry, since the first of January, 1798, specifying the time and limitation of space of such service.

Mr. Secretary Dundas had no objection to granting all information in his power, but he could not comply in this case in any time to make use of it the present session.

General Tarleton said, he had no means of knowing when the Session would end, and he was in hopes of having an opportunity of bringing the subject forward for discussion. He added, He understood there were some Fencible corps raising in Scotland, about which he wished to have account.

Mr. Dundas said, he had no hesitation to say, that he was the next day to wait on his royal highness the Duke of York, to consult on the propriety of accepting these offers, and he was of opinion, that where men could be raised to serve in Europe

Europe without burthening the country with half-pay for the officers, it was a beneficial measure.

The motion was then put and negatived.

General *Tarleton* then moved, that there be laid before the house returns of officers and men in corps, as they have been raised since the first of January, as far as the same can be made up.

Mr. *Secretary Dundas* opposed it.

The motion was negatived.

Mr. *Tierney* asked the Secretary of State, whether the house were to be favoured with an Indian Budget this year or not?

Mr. *Secretary Dundas* said they had had one Budget already; but owing to an accident, over which he could not have any controul, it was out of his power to bring forward another. [This we understood to allude to the loss of a packet.]

On the third reading of the Provisional Cavalry bill,

General *Tarleton* asked, how many they were, and in what part of the kingdom they were to be?

Mr. *Secretary Dundas* thought this a question which he ought not to answer, as tending to disclose that which ought to be a secret for the present.

The one million vote of credit bill, the three millions Exchequer bills bill, and other bills, were read a third time and passed.

Mr. *Secretary Dundas* reported at the Bar, that his Majesty had been waited upon with the Address of the House, relative to the service of the militia in Ireland, which his Majesty had graciously received.

The Taxed Cart Bill was ordered to be read a third time to-morrow, if then engrossed.

Mr. *Abbot* brought up three reports, with appendixes, of the Committee of Finance, which were ordered to be laid on the table, and to be printed.—They are very voluminous.

On reading the order of the day on the Rock Salt bill,

Mr. *Wigley* insisted that the House be counted, and there not being 40 members present, an adjournment took place of course.

HOUSE OF LORDS:

WEDNESDAY, June 27.

The standing order for the exclusion of strangers was again enforced.

We understand, however, that

The

The *Earl of Bessborough* moved the following Address, which was seconded by the *Earl of Suffolk*.

That an humble Address be presented to his Majesty, to state to his Majesty the humble advice and request of this House, that he would be graciously pleased to take into his Royal consideration the calamitous state of his kingdom of Ireland, and that when under the blessings of Divine Providence the Rebellion now existing in that kingdom shall have been suppressed, such a system of conciliation may be adopted as may tend most effectually and most speedily to restore to that afflicted country the blessings of peace and good government—And also to implore his Majesty, in the affairs of Ireland, to employ such persons as may possess the confidence of the people, and insure to them the permanence of a just and lenient system of government.

It was supported by the *Duke of Bedford*, *Lord Holland*, &c.

And opposed by *Lord Auckland*, *Lord Grenville*, the *Bishop of Rochester*, &c.

The House then divided.

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Independent of Proxies.

The *Duke of Bedford* then moved the following Resolution:

Resolved, That this House understanding it to be a matter of public notoriety that the system of coercion has been enforced in Ireland with a rigour shocking to humanity, and particularly that scourges and other tortures have been employed for the purpose of extorting confessions, a practice justly held in abhorrence in every part of the (civilized) world, and that "houses and buildings have been set fire to; a mode of punishment that can tend only to the most pernicious consequences, and that seldom or ever fall on the guilty, but, on the contrary, on the landlord, the wife, and children of the criminals, who, however iniquitous the husband or father, ought always to be spared and protected;" is of opinion, that a ~~timely~~ stop should be put to practices so disgraceful to the British name, and that our best hopes of restoring permanent tranquility to Ireland, must arise from a change of system, as far as depends on the Executive Government, together with a removal from their stations of those persons by whose advice and atrocities have been perpetrated, and with regard to whom the afflicted people of Ireland can feel no sentiments but those of resentment and horror.

On a division it was negatived.

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<i>Majority,</i>	-	-	27

LIST OF PEERS WHO VOTED FOR THE ADDRESS.

Dukes of Norfolk,	Earls—Befborough,
Leeds,	Tankerville,
Bedford,	Thanet;
Devonshire;	Lords—Thurlow,
Earls—Fitzwilliam,	Holland,
Shaftesbury,	King,
Oxford,	Say and Sele,
Egmont,	Conyers,
Albemarle,	Yarborough.

Lord *Thurlow* went away after the first division; and Earl *Cholmondeley*, Chamberlain to the Prince of Wales, voted with the Minority on the second division, not being present at the first. Lords *Stawell*, *Scarborough*, and *Yarborough*, also voted with the Minority on the second division.

HOUSE OF COMMONS.

WEDNESDAY, *June 27.*

Mr. *Rose* moved for the usual orders preparatory to the conclusion of the sessions, such as printing the Journals, &c. &c. which were all ordered of course.

General *Walpole* said, if gentlemen persisted in making these *inflammatory* motions, it would soon be necessary to clear the gallery!

Mr. *Rose* said, he was about to move for an Address to his Majesty, the object of which was to allow to the Clerk Assistant of that House the same salary and emoluments as his predecessor enjoyed; those who had attended to the business of the House must feel it was highly deserved by the learned Gentleman who now filled that office. He therefore moved, "That an humble Address be presented to his Majesty, praying that he will be graciously pleased to make such an allowance as he may think necessary to Jeremiah Dylon, Esq. Clerk Assistant of the House, &c."—Agreed to.

Mr. *Rose* said, he did not intend to give the House any further trouble this session in the bill for allowing Rock Salt to be made in Scotland. The subject should be taken up next session, when there would be time to discuss it fully.

Mr. *Huffison* brought up extracts of letters, signifying the consent of the following regiments to go to Ireland. The Bedfordshire, the West York, the West Kent, the Merioneth, and the Montgomery.—Ordered to be laid on the table, and to be printed, together with other extracts of the same kind laid before the House already.

The Taxed Cart bill was read a third time and passed.

Adjourned.

The following Protest was entered by the Noble Peers who who have signed it, on the rejection of the Duke of Bedford's Motion, expressing abhorrence of the Irish System of Coercion:—

Die Mercurij, 27 Junij, 1798.

DISSENTIENT,

Because the House having thought fit to reject the various motions respecting the calamitous situation of Ireland, which have been submitted to their consideration, in the first instance for enquiry---in the second for lenity and conciliation---and the last for putting an immediate stop at least to the rigorous proceedings of the Army in Ireland, where under the name of a system of coercion we have reason to fear that atrocious cruelties have been practised, we think it our duty to record the nature of the evidence on which we have proceeded; and on which our conviction of the truth of the facts is founded, and on that evidence to appeal in our own justification to our country, to the world, and to posterity. We affirm, that the facts are undisputed; that the evidence of them is irresistible, and that the effects produced by this barbarous system, convict the authors and advisers of such a total want of wisdom, even for their own pretended purposes, as can only be exceeded by the shocking cruelty of the principles avowed, and of the practice recommended by them: We shall state some of the documents we refer to in the order of time in which they have appeared, in order to show that this system of coercion has not been hastily resorted to on the spur of an instant necessity, but that it was deliberately resolved on long before it could be justified or palliated by any of the pretences or causes which have since been assigned in defence of it.

Dublin Castle, March 5, 1798.

His excellency further authorises you to employ force against any persons assembled in arms, not legally authorised so to be, and to disperse all tumultuous assemblies of persons, though they may not be in arms, without waiting for the sanction and assistance of the Civil Authority, if in your opinion the peace of the realm and the safety of his Majesty's faithful subjects may be endangered by waiting for such authority.

(Signed)

THOMAS FLEMING.

On the 26th of February, 1798, Sir Ralph Abercromby declared in public orders that "the very disgraceful frequency of Courts-Martial, and the many complaints of irregularities in the conduct of the troops in the Kingdom, had too unfortunately proved the army to be in a state of insubordination, which must render it formidable to every one but the enemy."

On the 18th of April, 1798, the following order was issued by His Grace General Duff:

"The Commander in Chief gives this public notice, that the Lord Lieutenant

tenant and Council have issued orders to him to quarter troops, to press horses and carriages, to demand forage and provisions, and to hold courts-martial for the trial of offences of all descriptions, civil and military, with the power of confirming and carrying into execution the sentences of all such courts-martial, and to issue proclamations.

* The Commander in Chief calls on the General officers to procure of the magistrates the best accounts they can give of the number of arms taken from the Yeomanry and the well-affected, of arms that have been concealed, and of pikes that have been made, which are to be recovered and taken possession of by the military.

* They are also to communicate to the people through the Priests, and by one or two men selected from each town-land, the purport of the following notice:

* That the order, if complied with, will be a sign of their general repentance; and not only forgiveness will follow, but protection.

* That they must be sensible that it is infinitely better for them to remain at home, quietly minding their own affairs, than committing acts which must bring on the ruin of themselves and of their families.

* As it will be impossible in some degree to prevent the Innocent from suffering with the Guilty, the Innocent have means of redress by informing against those who have engaged in unlawful associations, and of robbing houses of arms and money.

* The people must be very ignorant not to know that, notwithstanding the fair promises of the French, that they have first deceived, and then plundered every country into which they have come. And they are therefore forewarned, that, in case of invasion from the French, if they should attempt to join the enemy, or communicate with him, or join in any insurrection, they will be immediately put to death, and their houses and properties destroyed:

* The General Officers call on the people to know why they should be less attached to the Government now, than they were a year ago, when they showed so much loyalty in assisting his Majesty's troops to oppose the landing of the French? Is it not because they have been seduced by wicked men?

* Why should they think themselves bound by oaths into which they have been seduced or terrified?

* The people are requested to bring in their arms to the Magistrates or Commanding Officers in the neighbourhood, who have directions to receive them, and no questions will be asked.

(Signed)

'JAMES DUFF, Maj.-Gen.'

On the 7th of May, 1798, the following Orders were issued by Lieutenant-General Sir James Steward:

* Whereas it has been represented to Lieutenant-General Sir James Steward, that in some parts of the country where it has been necessary to station troops at free quarters for the restoration of public tranquillity, that general subscriptions of money have been entered into by the inhabitants to purchase provisions for the troops, by which means the end proposed, of making the burthen fall as much as possible on the guilty, is entirely defeated, by making it fall in a light proportion on the whole, and thereby easing and protecting the guilty. It has been thought proper to direct, that wherever that practice has been adopted, or shall be attempted, the General Officers, commanding Divisions of the Southern District, shall immediately double, treble, or quadruple the number of soldiers so stationed, and shall send out regular foraging parties to provide provisions for the troops,

In the quantities mentioned in the former notice, bearing date the 27th day of April, 1798; and that they shall move them from Station to Station through District or Barony, until all arms are surrendered, and tranquillity be perfectly restored, and until it is reported to the General Officers, by the Gentlemen holding Landed Property, and those who are employed in collecting the public Revenues and Tithes, that all Rents, Taxes, and Tithes are completely paid up.

Adjutant-General's Office, Cork, May 7th, 1798.

On the 13th of June, 1798, Major General Nugent, after holding out certain offers and terms to the Insurgents, proceeds to declare: That, should the above injunctions not be complied with within the time specified, Major General Nugent will proceed to set fire to and totally destroy the towns of Killinchy, Killitach, Ballynahinch, Gallsfield, and every cottage and farm-house in the vicinity of those places, carry off the stock and cattle, and put every one to the sword who may be found in arms.

It particularly behoves all the well affected persons who are now with the Rebels from constraint, and who it is known form a considerable part of their numbers, to exert themselves in having these terms complied with, as it is the only opportunity there will be of securing themselves and properties from the indiscriminate vengeance of an angry mob, and let loose upon them.

But finally the document which appears to us the most important of all, and to which we earnestly invite and press the attention of the House, is a public order issued about the middle of the present month of June, 1798, in the following words:

Major General Morrison requests that Officers commanding corps will give the strictest orders to prevent setting fire to houses or buildings of any kind, a mode of punishment that can lead only to the most pernicious consequences, and that seldom or ever falls on the guilty, but on the contrary, on the landlord, the wife and children of the criminals, who, however iniquitous the husband or father, ought always to be spared and protected.

And he has likewise received orders from Lieutenant General Lake, that fire-quarries are no longer to be permitted, neither are foraging parties to be allowed to go out, unless under the care of an officer, who also be responsible for every act, in order that the friends of Government, the helpless and infirm, may not be involved in one indiscriminate mass of destruction with the rebellious and ill-disposed.

The prohibition contained in this order, wise and humane as it is, is equivalent to a history of all the horrible transactions at Wicklow, and establishes the truth of them by evidence, which cannot be disputed or suspected, and also confirms, in the strongest terms, and on the irrefragable proof derived from practice and experience, that such a mode of punishment seldom or ever falls on the guilty, but on women and children, who ought always to be spared and protected, and that its principle, in its operation and effect, is to involve the friends of Government, the helpless and infirm, in one indiscriminate mass of destruction with the rebellious and ill-disposed.

BEDFORD.
WENTWORTH PIPZ WILLIAM.
PONSONBY.
HOLLAND.
ALBEMARLE.
KING.
THANET.

The following Protest has been entered on the Journals of the House of Lords by the Earl of OXFORD, in consequence of the rejection of the Motion made on Wednesday night relative to Ireland:—

DISSENTIENT,

125-

1. Because I was shocked that an Address to the King, upon so as a subject as the present state of Ireland, should have been rejected, without one single syllable being said by the King's Ministers upon the subject.

2. Because, I look back with pride to that law which our ancestors obtained, which says, "No free man shall be taken, or imprisoned, or disseized of his freehold, or liberties, or free customs, or be outlawed, or exiled, or any otherwise destroyed.—Nor will we not pass upon him, nor condemn him, but by lawful judgement of his Peers, or by the law of the land. We will sell to no man. We will not deny or defer to any man either justice or right." And because I agree with the commentary of that great lawyer, Sir Edward Coke upon this chapter of Magna Charta, wherein he says, "*No man destroyed*," that is, fore judged of life or limb, disherited, or put to torture or death.—And because, I think, that to flog, picket, and half-hang any of our fellow-subjects, in order to extort confession, is "*a putting to torture*," and therefore, not only outrageous to humanity, but directly against Magna Charta, the great corner stone of our Laws and Liberties. And whoever have dared to put to torture any of our fellow-subjects in Ireland, or elsewhere, have violated the great Charter, have betrayed their country, and ought speedily to be brought to condign punishment, for these their treasonable practices. And whoever have dared openly and publicly to justify torture, upon the ground of policy, deserve the same execrations from their countrymen as have been usually given to the cruellest inquisitors of Rome.

3. Because whenever our brethren and fellow-subjects in Ireland, or elsewhere, are flogged, picketed, half-hanged, and otherwise tortured, in order to extort confession, I hold it to be the bounden duty of every man, in his different station, to use all the legal means in his power to declare his abhorrence of such diabolical and tyrannical measures.

4. Because I hold, that when an Irishman is tortured; for the same men, who in violation of the laws of their country, and of every dictate of humanity, dare to put Irishmen to torture, will not hesitate, when they think it expedient, to put Englishmen to torture also.

5. Because it is a moral truth that cannot be denied, that if men have been driven by flogging and by tortures, contrary to all law and reason into open resistance, the guilt and consequences of that resistance are imputable to those who flog and torture contrary to all law and reason, and not to those who are thereby driven to resistance.

6. Because to flog and torture men into open resistance, for the sake of employing a power in the hands of those who flog and torture, to crush that resistance, and thereby to make themselves more secure, is not only a ~~testimony~~ ^{testimony} of ~~creed~~ ^{creed} against which law, reason, justice, humanity, and nature, cry aloud; but which the experience of all time teaches us will never answer.

7. Because the history of the world tells us that it is no small matter which provokes a people to throw off their allegiance; and that when they have thrown off their allegiance, attention to their just demands, and protection

tection in the enjoyment of their rights, liberties, and properties, are the only means by which an attempt worth having can be recovered.

3. Because I think the times call for a declaration of these principles, and that to act upon them is the only method of healing the present discontent, and preventing the speedy ruin of our country.

OXFORD AND MORTIMER.

HOUSE OF LORDS.

THURSDAY, June 28.

THE SCOTS' DISTILLERIES BILL.

After the bills upon the table had been forwarded in their respective stages, the House resolved into a Committee on this bill, Lord *Walsingham* in the chair.

Pursuant to a previous order of their Lordships, Counsel were heard in behalf of the petitioners against the bill.

After the Counsel had withdrawn, a conversation of some length ensued relative to the measure, between the Duke of *Bedford*, Lord *Holland*, and Earl of *Morton*, and the Lord *Chancellor*, the two former Peers opposing the bill. The provisions of the bill were then agreed to by the Committee; and the House resumed; and the report was ordered to be received the next day.

The Royal Assent was then given by commission to twenty-three public and private bills.---Among the former were the Newspaper bill, the Office Regulation, the Lancaster Sessions, Salt Excise, Transfer, and the Alien bills, and also such of the tax bills as have passed both Houses. The Lords Commissioners on this occasion were, the Lord *Chancellor*, the Duke of *Portland*, and the Earl of *Chesterfield*.

Certain Annual Accounts from the Commissioners of Westminster Bridge, were laid before the House.

Their Lordships then adjourned till the next day, when they are summoned to attend in their robes.

HOUSE OF COMMONS.

THURSDAY, June 28.

Westminster Bridge Annual Accounts presented. Ordered to lie on the table.

The *Speaker*, accompanied by several Members, went to the House of Peers, when the Royal Assent, by Commission, was given to the Export and Import bill, the Exchange bill, and several private bills. Adjourned.

HOUSE

HOUSE OF LORDS.

FRIDAY, June 29.

The bills upon the table, six in number, were read a third time, five of these were passed; but on the question for passing the last, the Scots' Distilleries bill, being put,

The Duke of Bedford rose to oppose it---he stated his disapprobation of the bill at some length, and concluded by avowing his determination to take the sense of the House on the measure.

A discussion accordingly took place, when there appeared,

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The bill was then passed, and a message was sent to acquaint the House of Commons therewith.

PROROGATION OF PARLIAMENT.

His Majesty did not reach the House of Lords till half past three o'clock. He was attended by Lords *Chesterfield*, Master of the Horse, and *Sydney*, who bore the Cap of Maintenance, and stood at the right hand side of the Throne, and by Lord *Moreton*, bearing the Sword of State; and Lord *Gwyder*, who stood on his Majesty's left hand. The *Prince of Wales* was not present, but there were all the other male branches of the Royal Family, the *Stadtholder*, Earl *Camden*, and most of the Peers in office.

His Majesty being seated on the Throne, the Commons were sent for, and having attended accordingly, the *Speaker*, on presenting the Bill of Supply, addressed his Majesty in a speech, delivered with great eloquence and dignity, as follows :---

" MOST GRACIOUS SOVEREIGN,

" Your faithful Commons humbly attend your MAJESTY with the bills which close the supply for the public service of the year.

" In providing for the effectual prosecution of the contest in which this country is engaged, your Commons have been actuated by the conviction that no alternative remained; and that it was only from the extraordinary efforts which the crisis demanded, that the means could be derived of maintaining the honour of your Majesty's Crown, and the security and independence of the British Empire. Considerations of temporary convenience have accordingly given way to the urgent duty of combining the attention, so peculiarly important at this time, to the support and stability of Public Credit, with a determination to make an ample provision for the several branches of the public service. To these objects the deliberations

of your Commons have been diligently applied; and they have observed with pride and satisfaction, that the unexampled sacrifices, which the state of public affairs appeared to them indispensably to require, have been accompanied by such demonstrations of loyalty and zeal from all classes of their fellow subjects, by voluntary exertions of every description, to such an amount and extent, as to afford the best comment on the hopes; and the most decisive answer to the misrepresentations upon which the enemy most have founded the vain and presumptuous project of destroying the commercial prosperity, the maritime greatness, and liberties of these kingdoms.

" Your Commons, Sire, are gratified by the persuasion that their proceedings have been in all respects strictly conformable to the interests and the sentiments of a free and intelligent people, who consider no efforts too great which may be necessary to frustrate the designs, and repel the attempts of the enemy; and to preserve that Constitution which they know to be the guardian of all that is most dear and valuable to themselves, and the best inheritance that can be transmitted to their descendants.

The *Speaker* then requested the Royal Assent to the following bills, which was granted, viz. the Scotch Distillery bill, the Exchequer bills, the Provisional Cavalry bill, the Vote of Credit and the Taxed Cart bills.

His Majesty then delivered the following most gracious Speech from the Throne:

" *My Lords and Gentlemen,*

" By the measures adopted during the present Session, you have amply fulfilled the solemn and unanimous assurances which I received from you at its commencement.

" The example of your firmness and constancy has been applauded and followed by my subjects in every rank and condition of life.

" A spirit of voluntary and ardent exertion, diffused through every part of the kingdom, has strengthened and confirmed our internal security; the same sentiments have continued to animate my troops of every description; and my fleets have met the menaces of Invasion, by blocking up our enemies in all their principal ports.

" *Gentlemen of the House of Commons,*

" The extensive and equitable scheme of Contribution, by which so large a proportion of our expences will be defrayed within the year, has defeated the expectation of those who had vainly hoped to exhaust our means and to destroy our Public Credit.

" You have been enabled to avail yourselves of farther resources, from a commerce increased in extent and vigour, notwithstanding the difficulties of war; and have had the singular satisfaction of deriving, at the same moment, large additional aid from individual exertions of unexampled zeal, liberality, and patriotism.

" The provision which has been made for the redemption of the Land Tax, has also established a system which, in its progressive operation, will produce the happiest consequences, by the increase of our resources, the diminution of our debt, and the support of public credit.

" *My*

My Lords and Gentlemen,

"The designs of the disaffected, carried on in concert with our inveterate enemies, have been unremittingly pursued, but have been happily and effectually counteracted in this kingdom, by the general zeal and loyalty of my subjects.

"In Ireland, they have broken out into the most criminal acts of open rebellion. Every effort has been employed on my part, to subdue this dangerous spirit, which is equally hostile to the interest and safety of every part of the British empire. I cannot too strongly commend the unshaken fidelity and valour of my regular, fencible, and militia forces in Ireland, and that determined spirit with which my yeomanry and volunteer forces of that kingdom have stood forward in defence of the lives and properties of their fellow subjects, and in support of the lawful government.

"The striking and honourable proof of alacrity and public spirit which so many of my fencible and militia regiments in this kingdom have manifested on this occasion, has already received the fullest testimony of the approbation of Parliament. This conduct, personally so honourable to the individuals, affords the strongest pledge both of the military ardour which actuates this valuable part of our national defence, and of their affectionate concern for the safety and happiness of Ireland, which are essentially connected with the general interests of the British empire. With the advantage of this support, and after the distinguished and important success which has recently attended the operations of my arms against the principal force of the rebels, I trust the time is fast approaching, when those now seduced from their allegiance, will be brought to a just sense of the guilt they have incurred, and will entitle themselves to forgiveness, and to that protection which it is my constant wish to afford to every class and condition of my subjects, who manifest their desire to pay a due obedience to the laws.

"This temporary interruption of tranquillity, and all its attendant calamities, must be attributed to those pernicious principles which have been industriously propagated in that country, and which, wherever they have prevailed, have never failed to produce the most disastrous effects. With such warnings before us, sensible of the danger which we are called upon to repel, and of the blessings we have to preserve, let us continue firmly united in a determined resistance to the designs of our enemies, and in the defence of that constitution which has been found by experience to insure to us in so eminent a degree, public liberty, national strength, and the security and comfort of all classes of the community.

"It is only by perseverance in this line of conduct that we can hope, under the continuance of that Divine Protection which we have so abundantly experienced, to conduct this arduous contest to a happy issue, and to maintain undiminished, the security, honour, and lasting prosperity of the country."

Then the Lord Chancellor, by his Majesty's command, said;

My Lords and Gentlemen,

"It is his Majesty's Royal Will and Pleasure, That this Parliament be prorogued to Wednesday, the eighth day of August next, to be then here holden; and this Parliament is accordingly prorogued to Wednesday, the eighth day of August next.

HOUSE OF COMMONS.

FRIDAY, June 29.

A Message from the Lords informed the House, that their Lordships had agreed to the Scotch Distillery Bill, the Provisional

sional Cavalry, and the Exchequer Bills' Bill, and to several other private and public Bills.

Sir Francis Molyneux, Gentleman Usher of the Black Rod, then appeared at the Bar, and in the name of his Majesty, commanded the attendance of that Honourable House in the House of Peers.

On their return, the *Speaker* read his Majesty's Speech from the Table, after which the Members present withdrew.

The Reporter cannot close his labours of a Session, marked with two such uncommon occurrences in modern times, as the partial secession of the Opposition Speakers, during the early periods of it, and the exclusion of strangers so rigidly enforced towards its termination, without offering a few observations upon an event in Parliamentary History, so singular as the latter. In doing this, he flatters himself that he intrudes not upon his Reader any thing impertinent to the nature of his work, nor does he mean to give any offence by remarks that can be construed into an indecent exercise of the liberty of the Press. In his address to his former volume, he animadverted on the extraordinary circumstance of some of the leading Members of Opposition absenting themselves from a due discharge of their public duty in both Houses, at a time the most critical and dangerous of any in which the country had ever the misfortune to stand; and his opinions on that subject, though not welcome to all parties, he has had the happiness to find were not only acknowledged to be founded by the candid in general, but honoured with the coincidence, and support of several able and respectable gentlemen in Parliament; even the most popular of the Opposition orators, have served to confirm the truth and justice of them, by occasionally returning to their deserted posts, and by their eloquence, throwing a momentary shade over the lustre of the well-earned fame, that their seconds in debate had acquired by their diligent attendance and able exertions in the absence of their leaders.

With regard to the exclusion of strangers from the debates on the affairs of Ireland, the time at which the measure was adopted, is of itself extraordinary, and adds to the questionableness of the policy of shocking and mortifying the public mind in a moment so uncommonly interesting to the feelings of every British subject.

Let it not be imagined, that the Reporter means, in the slightest degree, to challenge the authority of either House of Parliament over their own forms of proceeding. The power of originating regulations to govern their conduct, with respect to the business that calls for their discussion and decision, is not peculiar to the Houses of Parliament, but so necessarily inherent in every popular assembly, that the commonest club in the kingdom could not exist a fortnight without losing sight of the object of its institution; and having its affairs thrown into inextricable confusion, if it did not wisely commence with establishing certain general rules, consonant to the law of the land, by which the club was to be guided, during its continuance. The right of enforcing regulations, whether called Standing Orders, or By-laws, or Rules, bearing any other denomination, is inseparable from the power of making them; indeed, no man possessed of common sense will do his own understanding so much wrong as to hazard the denial of either.

Admitting,

his own spec'

It was therefore with infinite surprize and regret, that the Reporter, witnessed the exercise of power lately re-assumed, in the circumstance of enforcing the Standing Order for the exclusion of strangers from the two Houses, which Order, like many Acts of Parliament, on the subject of ancient, rigid and intolerant religious regulations, (originating from prejudices partly political, and partly fanatic, that have long since subsided, and are considered as obsolete, though still suffered to disgrace the pages of the Statute Book) had long been allowed by general connivance to sleep unagitated. He was the more surprized at its being called into action, and that by a most intelligent and respectable Member of the House of Commons, upon what appeared to the Reporter to be an ill-chosen, as it was clearly an *ex post facto* occasion. The power of originating Standing Orders or By-laws, and the right of enforcing them in all popular assemblies, have been fully admitted in this Note; he hopes therefore, that what he says upon this subject, will not be deemed matter of contumely and contempt, but of fair and reasonable discussion for one of the constituent body who elect those who have been chosen representatives. The Reporter in this character, with great deference submits it to the Reader, as his

sional Cavalry, and the Exchequer Bills' Bill, and to several other private and public Bills.

Sir Francis Molyneux, Gentleman Usher of the Black Rod, then appeared at the Bar, and in the name of his Majesty, commanded the attendance of that Honourable House in the House of Peers.

On their return, the *Speaker* read his Majesty's Speech from the Table, after which the Members present withdrew.

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Admitting,

Admitting, therefore, the power and the right to be clear and undeniable, in the fullest extent, surely a question fit for fair and temperate discussion suggests itself upon the exercise of that right, universally acknowledged as it may possibly be, and it is in order to say a few words on that question, that the Reporter has troubled his Readers with this Note.

In former centuries, and during part of the present century, it was the usage of Parliament to exclude strangers as often as any Member of either House, thought proper to enforce the Standing Order, but the ill effects that arose from the secrecy attempted, compared with the advantages resulting from the publicity of Parliamentary proceedings, became so generally apparent, that in these more enlightened times, the practice of admitting an audience below the Bar, in the House of Lords, and in the Gallery of the House of Commons, has prevailed for many years with very few exceptions. The consequence has been found to be useful, and as the Reporter of this work was among the first that took the lead in giving a sketch of the Debates, with the name of each Speaker, undisguisedly prefixed to his argument, he feels himself compelled to state the motives that induced him to undertake a duty so laborious, and difficult. In consequence of Members sending their own speeches to the press, and artfully giving the rest of the discussion of the day a turn, different from what it really took in order to serve a party purpose (a practice, that had for some years prevailed) much misrepresentation was circulated. It occurred to the Reporter, therefore, early in life, that if the public were regularly furnished with a faithful, and impartial report of the whole debate, so that they might judge for themselves with the entire subject before them, as far as the most unremitting exertions and best judgment of a man of moderate abilities, but unrivalled anxiety to do justice to all parties, could submit it to their perusal, such a report would not only be favourably received, but the cause of truth would be materially served, and a fund of political information of the first importance to every British subject opened. It is now nearly thirty years since the Reporter commenced his career, and so far has he been during that long period, from meeting with the censure of either House for the liberty he had taken, that he has uniformly found the Members themselves the most forward to encourage his efforts, and has been repeatedly applied to by the highest characters in the kingdom, to request his particular attention to the discussion of questions, as well such as were peculiarly important to their private interests, as those relative to their official situations, and their connection with the administration of Public Affairs.

It was therefore with infinite surprise and regret, that the Reporter, witnessed the exercise of power lately re-assumed, in the circumstance of enforcing the Standing Order for the exclusion of strangers from the two Houses, which Order, like many Acts of Parliament, on the subject of ancient, rigid and intolerant religious regulations, (originating from prejudices partly political, and partly fanatic, that have long since subsided, and are considered as obsolete, though still suffered to disgrace the pages of the Statute Book) had long been allowed by general connivance to sleep unagitated. He was the more surprized at its being called into action, and that by a most intelligent and respectable Member of the House of Commons, upon what appeared to the Reporter to be an ill-chosen, as it was clearly an *ex post facto* occasion. The power of originating Standing Orders or By laws, and the right of enforcing them in all popular assemblies, have been fully admitted in this Note; he hopes therefore, that what he says upon this subject, will not be deemed matter of contumely and contempt, but of fair and reasonable discussion for one of the constituent body who elect those who have been chosen representatives. The Reporter in this character, with great deference submits it to the Reader, as his
 etc.

decided opinion, not an opinion hastily formed, but founded on the observation of many years, and no small degree of reflection, that the publicity of Parliamentary proceedings in a free country, (and such, thank God! Great-Britain still is, though the only one that remains so at this moment on the face of Europe!) is at all times of essential political importance, and incalculable public advantage. But granting that this opinion is weakly taken up and wholly unfounded, what justifiable reason can be alledged for exercising the power of excluding strangers, at such a moment as that chosen for it? If it were dangerous to have the style, temper, and tone of argument adopted by Parliamentary Speakers on the subject of Irish affairs kept carefully from the public eye, surely, the day was gone by, when such an exercise of power could have been in the smallest degree useful. An attentive Observer would naturally have imagined, that its utility (if any it ever could have) would have suggested itself at a more practicable opportunity of seizing upon it, viz. When a noble Baron, (an Irish Earl) introduced his relation of extraordinary but terrific facts, (afterwards roundly contradicted by a noble Marquis of Ireland, and as melancholy events have since most fatally proved, but too truly contradicted). At that period no idea of precaution of the kind suggested itself to any Member of either House, nor was the Order enforced before Ireland is in open rebellion; and at a moment when there exists little if any probability of mischief resulting from the publication of the Debates on the subject. The sword once drawn, and blood-shed began by Traitors, there seems no alternative, but to repel *vim vi*, and to subdue avowed treason by military force, and then make the traitors suffer the vengeance of the insulted laws of their country, tempering justice, however, with mercy, as his Majesty's humane disposition will naturally induce him to do; indeed a public proof has already been given, that such is the benign inclination of the Royal mind.

So little accustomed to enforce the Standing Order have the two Houses been of late years, that we even see the first authority in the House of Commons in an error, respecting the necessary practice of the House, and a better informed, a more impartial and able Member has not at any time sat in the chair, not one, who by his urbanity and firmness has reflected more credit on himself or afforded more uniform satisfaction to the House in general, than the present worthy Speaker. A Standing Order must either be enforced *in toto*, or suspended or rescinded, and each upon motion. It cannot be enforced partially, because, having once put it upon their Journals, the House is bound to abide by it literally whenever called upon to enforce it. The House has no discretionary command over it, but if found inconvenient for a present purpose, it may suspend it, (as is frequently done every Session to accommodate suitors for bills, that militate against it,) and if the inconvenience be of a general nature, it may (vacate it, as the House of Lords phrase it) or rescind it, and make a new Order, if it think proper. The Reporter with great deference gives this opinion upon the subject, and as the construction here stated, has already the authority of the Courts of Law in its favour, it being the invariable practice of the Judges to govern themselves by it, so he flatters himself, it would receive the concurrence of that oracle of Parliamentary forms, Mr. Harell, whose valuable volumes contain unanswerable proofs of the great attention he has for many years, not fruitlessly, paid to their study.

APPENDIX.

APPENDIX :

CONTAINING

TREATIES, STATE PAPERS, PARLIAMENTARY
REPORTS, AUTHENTIC DOCUMENTS, &c.

PROCEEDINGS

Of the Lords Commissioners of his Majesty's Treasury, or in consequence of directions from them, since the end of the last session of Parliament, respecting several offices concerned in the receipt and expenditure of the public money.

SCHEDULE.

No. I.—ON FOURTH REPORT.—CUSTOMS.

Five LETTERS from Mr. ROSE to the Commissioners of the Customs in England	dated 28th Sept. 1797.	
One ditto to the Commissioners of the Customs in Scotland		do do —
Ditto to Mr. LOWNDES		do do —
Ditto from the Commissioners of Customs in Scotland, with letter and statement of Receiver-General, and Assistant Accountant-General, in answer to Mr. ROSE's of the 28th September		9th Oct. —
Ditto from Mr. ROSE to ditto		14th do —
Ditto from ROSE to the Commissioners of the Customs in England		11th do —
REPORT of the Commissioners of the Customs to the Lords of the Treasury, in answer to Mr. ROSE's letter of the 11th October		5th Dec. —
LETTER from Mr. HUME to Mr. ROSE		7th do —
REPORT of Commissioners of the Customs on the abolition of holidays, in answer to one of Mr. ROSE's Letters of the 28th September		16th do —

No. II.—On FIFTH REPORT.—EXCISE.

LETTER from Mr. ROSE to the Commis-
sioners of Excise - - - dated 28th Sept. 1797.
REPORT in answer thereto - - - 22d Dec. —
LETTER from Mr. ROSE to the Commis-
sioners of Excise, Scotland - - - 3d O&. —
Ditto from the Commissioners of Excise to
Mr. ROSE, with an account enclosed 9th do —
Ditto from Mr. ROSE to the Commissioners of
Excise, Scotland - - - 14th do —

No. III.—On SIXTH REPORT.—STAMP-OFFICE.

LETTER from Mr. ROSE to the Commis-
sioners of Stamps - - - dated 7th O&. 1797.
REPORT of the Commissioners of Stamps to
the Lords of the Treasury - - - 23d do —
LETTER from Mr. ROSE to the Commis-
sioners of Stamps - - - 13th Dec. —

No. IV.—On SEVENTH REPORT.—POST-OFFICE.

LETTER from Mr. ROSE to the Postmaster-
General - - - dated 7th O&. 1797.
REPORT from the Postmaster-General, with
inclosures No. 1, 2, and 3, - - - 31st do —
LETTER from Mr. ROSE to the Postmaster-
General - - - 12th Dec. —

No. V.—On EIGHTH REPORT.—TAX-OFFICE.

Two LETTERS from Mr. ROSE to the
Commissioners of Taxes - - - dated 7th O&. 1797.
One ditto from Mr. ROSE to the Lord Advo-
cate for Scotland - - - 11th do —
Ditto from Mr. ROSE to the Solicitor of the
Treasury - - - 12th do —
Ditto from the Lord Advocate for Scotland to
Mr. ROSE - - - 7th Nov. —
REPORT of the Commissioners of Taxes to
the Lords of the Treasury - - - 4th do —
LETTER from Mr. ROSE to the Barons of
the Exchequer in Scotland - - - 2d Dec. —

No. VI.—On NINTH REPORT.—SALT-OFFICE.

LETTER from Mr. ROSE to the Commis-
sioners of Excise - - - dated 25th Sept. 1797.
Ditto from Mr. ROSE to the Commissioners of
Salt - - - 5th July —
Ditto from ditto to ditto - - - 25th Sept. —

No.

**No. VII.—On TENTH REPORT.—HAWKERS and PED-
LARS, and on ELEVENTH REPORT.—HACKNEY
COACHES.**

LETTER from Mr. ROSE to the Commis-
sioners of Taxes - dated 2d Oct. 1797.
Ditto from Mr. ROSE to the Commissioners of
Hawkers and Pedlars - 2d do —
Ditto from Mr. ROSE to the Commissioners of
Hackney Coaches - 2d do —
Ditto from the Commissioners of Taxes, in
answer to Mr. ROSE's letter of the 2d Oc-
tober - 14th Nov. —

No. VIII.—On TWELFTH REPORT.—PENSION DUTIES.

LETTER from Mr. ROSE to Mr. ASTLE
dated 7th Oct. 1797.
Ditto from ditto to Mr. LANE - do do —
Ditto from Mr. LANE to Mr. ROSE - 9th do —
Ditto from Mr. ASTLE to ditto - 10th do —
TREASURY MINUTE - 5th Dec. —

No. IX.—On FIFTEENTH REPORT.—TREASURY.

TREASURY MINUTE - dated 10th Oct. 1797.
One LETTER from Mr. ROSE to several
offices, to discontinue payment of new
years gifts - do do —

**No. X.—On SIXTEENTH REPORT.—SECRETARIES
of STATE.**

Three LETTERS to Under Secretaries of
State - dated 11th Dec. 1797.
One ditto from Mr. HUSKISSON to Mr. ROSE 14th do —

**No. XI.—On SEVENTEENTH REPORT.—ADMIRALTY,
&c.**

LETTER to Mr. NEPEAN - dated 11th Dec. 1797.

**No. XII.—On EIGHTEENTH REPORT.—TRANSPORT-
OFFICE.**

LETTER from Mr. ROSE to the Commis-
sioners of Transports - dated 11th Oct. 1797.
Ditto from the Commissioners of Transports 2d Jan. 1798.

No.

**No. XIII.—On NINETEENTH REPORT.—SECRETARY
at WAR, &c.**

LETTER from Mr. ROSE to the Comptrollers of Army Accounts - dated 1st Nov. 1797.
 Ditto from ditto to ditto - 4th do —
 Ditto from ditto to Secretary at War 11th Dec. —
 Ditto from ditto to Paymaster-General do do —

No. XIV.—On TWENTY-FIRST REPORT.—ORDNANCE.

One **LETTER** from Mr. ROSE to the Board of Ordnance - dated 11th Dec. 1797.

**No. XV.—On TWENTY-SECOND REPORT.—EXCHE-
QUER.**

Two **LETTERS** from Mr. ROSE to the Commissioners for auditing public accounts - dated 4th and 6th Nov. 1797.
 One ditto from Mr. ROSE to the Solicitor of the Treasury - 1st do —
 Ditto from ditto to the Secretary of the Lord Lieutenant of Ireland - 1st do —
 Ditto from the Secretary to the Lord Lieutenant of Ireland - 9th do —

No. I.

PROCEEDINGS on the Fourth Report of the Select
Committee on Finance, appointed in the last Session of
Parliament.

CUSTOMS.

GENTLEMEN,

THE measure of abolishing all fees taken by the officers in the revenue under your management, and of substituting fixed salaries in lieu thereof, for which, among other matters, provision was made in a bill introduced into the House of Commons in 1782, and which was afterwards, under the direction of the Lords Commissioners of his Majesty's Treasury (in consequence of the suggestions in the fifteenth report of the Commissioners of Public Accounts) the subject of repeated conferences between some of your board and committees of merchants in London trading to different parts of the world, and of correspondence as well by your board as myself with the chief magistrates and principal merchants in the out-ports, during nearly two years, having been again recommended to be carried into effect by the Select Committee on Finance appointed in the last session of parliament, who state that at least the fees to the out-door officers should cease to be taken, I am commanded by my Lords to recal your attention immediately to this subject :—Their lordships recollecting the difficulties of various sorts which occurred respecting an entire abolition in 1791-2 are unwilling to propose that measure in its full extent in the present moment : my lords are, however induced to hope that the object is attainable with respect to the fees taken by the out-door officers, which the committee thought the most important ; their lordships are therefore pleased to direct you to prepare a bill for that purpose without delay, and to suggest to their lordships the compensations which, in your opinion, it may be proper to make to the several officers on their fees being taken away. You will at the same time have under your consideration what duties it may be proper to suggest to parliament to be imposed, to make good to the revenue the loss which will be sustained by the charge which will by this measure be brought upon it.

The committee express an opinion also, that it may be proper to compensate the officers in different situations for the deprivation of their holidays : I have it therefore in command from my lords to direct you to have under your consideration what additions it may be proper to make to the incomes of such officers on that account, or whether an occasional indulgence may not be given to them in lieu of the holidays, without interfering with the transacting the ordinary business at the custom-house, or incurring expence to the revenue, and to report your opinion thereupon to their lordships. I am,

Gentlemen, &c.

GEORGE ROSE.

Treasury Chambers,
28th Sept. 1797.

Commissioners Customs.

GENTLE-

GENTLEMEN,

THE Statement in the fourth report of the Select Committee on Finance in the last session of parliament, that a succession to the higher offices in the revenue under your management at the out-ports has not been established, as was suggested by the Commissioners of Public Accounts, followed in another part of the report by a recommendation from the Committee, that a general, though not an invaluable rule of succession in the effective offices on the establishment should be observed, having been under the attentive consideration of the Lords Commissioners of his Majesty's Treasury, and their lordships being desirous of promoting as far as possible the attainment of the object the Committee had in view; I am commanded by my Lords to direct you to have a special and particular regard to the conduct of the several efficient officers in your department, for the purpose of recommending such of them to their lordships for promotion, whose merits may particularly entitle them to be preferred to higher or more profitable situations, as vacancies shall happen.

My Lords have it not in contemplation at present to propose any measure to Parliament on this subject, as the Committee on Finance, conceiving that an invariable adherence to a rule for establishing a course of gradual rise to the office of comptroller at the out-ports, and from that to the situation of collector, might occasionally be attended with considerable inconvenience, recommend only keeping in view the principle in the disposal of those offices as an incentive to diligence; their lordships considering also that a bill for the same purpose, among others, was rejected by the House of Commons in 1782, and adhering to your opinion, that the measure has been rendered less necessary by the regulations adopted for instructing collectors and other principal officers before their admission to their employments. I am, however, to observe to you, that my Lords rely on your diligence for rendering their intention as effectual as circumstances will permit. I am,

Gentlemen, &c.

GEORGE ROSE.

Treasury Chambers,

28th Sept. 1797.

Commissioners Customs.

GENTLEMEN,

THE Select Committee appointed by the House of Commons in the last session of parliament, on Finance, &c. having in their fourth report made an observation respecting the new modelling certain offices in the revenue under your management, and the Lords Commissioners of his Majesty's Treasury having had under their consideration the observations of your board on the subject, in a paper addressed by you to the said Committee, dated the 9th of June last, I am commanded by their Lordships to desire you will have a bill prepared to be submitted to the consideration of Parliament, for suppressing immediately all the offices now vacant, all such, enumerating them, as were recommended to be discontinued by the Commissioners for Public Accounts.

There will probably be no difficulty in the appointment of officers at creeks, proposed by the Commissioners of Accounts, and alluded to by the Committee, taking place immediately in the ports where the patent offices are already vacant, and at the others, as they shall fall in; in which case, it is the pleasure of my Lords that you should take the proper steps accordingly, making provision for the same in the bill before directed, if necessary.

On

On proposing to Parliament the final suppression of the patent offices in your revenue to be enumerated, it is the intention of my Lords to submit a proposition for making effectual to the family of the late Duke of Manchester, the value in respect of income of a grant from his Majesty of the office of collector outwards in the Port of London, which was nearly completed previously to any legal objections having been taken to such grants, or to any observations on them by the Commissioners of Accounts: I have it therefore in command from their Lordships, to direct you to have a clause prepared to be inserted in the said bill, for authorizing a sum to be paid quarterly out of the revenue of customs, during the lives of William Duke of Manchester and Frederick Montagu commonly called Lord Frederick Montagu, equal to the profits of the office of collector outwards, and giving a like interest to the parties in them as if the grant had been made in the same manner as to the late Duke of Manchester and his ancestors.

In the said bill, their Lordships are of opinion, a grant may be made, conformably to the suggestions of the Committee of Finance, to the fund for officers in your revenue, who shall be rendered incapable of discharging the duties of their situations by age or infirmities, of the money now invested in the funds which has arisen from the fees of such of the patent offices as have become vacant, and have not been filled up, and of the growing produce of such fees in future, till the same shall be abolished by Parliament; providing, however, by the act, that no officer shall be allowed to have the benefit of any allowance from the said fund, but by a minute of your board, on proof being made, to their satisfaction, of the real inability of the party to continue in the execution of the duty of his office from age or infirmities. I am,

Gentlemen,

Treasury Chambers,
28th Sept. 1797.

Your most obedient servant,
GEORGE ROSE,

Commissioners Customs.

GENTLEMEN,

THE Committee of the House of Commons on Finance in the last session of parliament having adverted to there being always a longer interval between the making up the balances of the receiver-general of the customs, weekly, and paying the money into the Exchequer, than in other considerable branches of the revenue, I am commanded by the Lords Commissioners of his Majesty's Treasury to desire you will take measures for the receipt of the revenues under your management being paid into the Exchequer on the Monday or Tuesday in each week, instead of the Wednesday, as at present. I am,

Gentlemen,

Treasury Chambers,
28th Sept. 1797.

Your most obedient servant,
GEORGE ROSE.

Commissioners Customs.

GENTLEMEN,

REFERRING to a statement in page 4 of the Fourth Report from the Select Committee of the House of Commons on Finance, &c. in the last session of parliament, I am commanded by the Lords Commissioners
APPEND. VOL. II. 1798. b of

of his Majesty's Treasury to desire that you will acquaint me, for the Lordships' information, whether the difficulties alluded to in the paper of the 13th May last, signed by your secretary (Appendix, B. 1.) are, in your opinion, of such a nature as to render inexpedient the adoption of the measure of including the gross receipts and payments in the Particulars in the general account of customs passed in the Exchequer; and if such should be your opinion, that you will state the reasons for it, so as to enable my Lords to judge fully of the subject, and to explain to Parliament satisfactorily the grounds on which they may have decided to adopt the suggestion, or to postpone it for the consideration of Parliament.

I am,

Gentlemen,

Your most obedient servant,

GEORGE ROSE

P.S. My Lords desire you will transmit to them, as soon as possible, the amount of the above-mentioned duties for five years.

Treasury Chambers,
28th Sept. 1797.

Commissioners Customs.

GENTLEMEN,

THE statements made of the revenue under your management to the Committee of the House of Commons on Finance, in the last session of parliament, and the observations made by the Committee thereupon, having been under the consideration of the Lords Commissioners of his Majesty's Treasury, I am commanded by their Lordships to direct you not to fail to cause the receiver-general to remit, every week, the balance of cash which shall appear to be in his hands, from the account he lays before you weekly, reserving only, at the usual periods of paying the establishment of the courts of law, and other charges of the civil establishments payable out of the customs or salt duties, sufficient sums to defray the same, taking care that at all other times the receiver shall not detain in his hands any money whatever, my Lords being of opinion, that, subject to the reserving the sums necessary for the above services, the revenue under your management should be remitted to the receiver-general in London with the same punctuality as the latter pays his balances into the Exchequer. I am,

Gentlemen,

Your most obedient servant,

GEORGE ROSE.

Treasury Chambers,
28th Sept. 1797.

*Commissioners Customs,
Scotland.*

SIR,

THE holidays kept at several offices under government having been under the observation of the Select Committee of the House of Commons on Finance, appointed in the last session of parliament; and they having expressed an opinion, that it is expedient for the public service that the number of holidays in some of the offices should be reduced; I am commanded by the Lords Commissioners of his Majesty's Treasury to direct you to prepare a bill, to be submitted to the consideration of Parliament,

for

for reducing them accordingly, leaving blanks, for the present, for the offices and the particular holidays to be abolished in each. I am, Sir,

Your most obedient servant,

GEORGE ROSE.

Treasury Chambers,
28th Sept. 1797.

Mr. Lowndes.

SIR,

HAVING received your letter of the 28th of last month, signifying that the right honourable the Lords Commissioners of the Treasury direct us not to fail to cause the receiver-general to remit every week the balance of cash which shall appear to be in his hands from the account he lays before us weekly, reserving only, at the usual periods of paying the establishment of the courts of law, and other charges of the civil establishment payable out of the customs or salt duties, sufficient sums to defray the same, taking care that at all other times the receiver shall not retain in his hands any money whatever, their Lordships being of opinion, that, subject to the reserving the sums necessary for the above services, the revenue under our management should be remitted to the receiver-general in London with the same punctuality as the latter pays his balances into the Exchequer, we not only directed the receiver-general to pay implicit obedience thereto, but also directed the comptroller-general to attend to it: and they having, in consequence of those directions, laid before us a Memorial, copy whereof is enclosed, we request you will be pleased to lay the same before their Lordships for their consideration and further directions. We are, Sir,

Your most obedient humble servants,

Custom-house, Edinburgh,
9th October 1797.

DAVID REID,
J. H. COCKRANE,
R. E. PHILIPS.

George Rose, Esq.

"HONOURABLE SIR,

"HAVING attentively considered the directions from the Lords Commissioners of the Treasury, contained in Mr. Secretary Rose's letter to your Honour, of the 28th September, with regard to remitting weekly to London the whole balances of cash on the revenues of customs and salt duties under your management, we humbly beg leave to submit the following observations:

"If the annual produce and expenditure of the revenue of customs in Scotland were arranged in so regular a manner, that the weekly receipts and payments bore at all times the same proportion to each other, there could be no objection to the mode of remittance which their Lordships have thought proper to direct. It must be obvious; however, to your Honours that this is very far from being the case.

"The revenue of customs in this part of the kingdom arises chiefly from the duties on the importation of foreign goods, viz. sugar, wood, wines, &c. These articles are often imported at one season of the year, while the payments, to which the duties arising from them are subjected by law, are unavoidably made at a different period. When therefore the product of these duties is paid into the receiver-general, it becomes absolutely necessary for him not only to retain in his hands the amount usually

drawn from the customs for the support of the civil establishment in Scotland (for which alone an allowance is made in the directions from the Lords of the Treasury) but also a sum sufficient to answer the whole demands likely to be made on the office between the time of his receiving these duties and the period at which he may again expect a supply.

" In these demands are to be included the necessary charges of management, the bounties allowed on the whale and herring fisheries, together with other legal and unavoidable payments, the exact amount of which it is impossible to define.

" To convince your Honours that the current receipts of the customs at particular periods of the year are wholly insufficient to answer these demands, we beg leave to refer to the enclosed account of the monthly receipts and payments of the receiver-general's office, from the 5th March to the 5th July, in the present and the two preceding years.

" By this account it will appear evident, that, with the exception of one month, in which the receipts and expenditure are nearly upon a par, the usual payments of the office independent of the sums drawn by the Barons of the Exchequer, have not only exceeded the produce of the consolidated duties of customs, but even the amount of the consolidated and new duties taken together, which last, except in the instance of the bounty granted on the importation of foreign grain, have not hitherto been applied to any payments in this country.—The only means by which this excess could have been provided for, was by reserving in the hands of the receiver-general a sum sufficient for the purpose from the receipts of former months. Had the mode of remittance which the Lords of the Treasury have now thought proper to direct been then adopted, this resource would have been cut off, and of course, during the period alluded to, an entire suspension must have taken place of these payments, to which the revenue of customs is liable by law.

" Upon the whole, therefore, we are humbly of opinion, that the duties imposed since the consolidation act not being usually applied to payments here, may be remitted in the manner proposed, or whenever the sum collected upon them shall appear to your Honours of sufficient importance.—But with regard to the consolidated duties, we beg leave to remark, that the spirit of the directions contained in Mr. Secretary Rose's letter, has already been complied with, in so far as it appears consistent with the public service, by remitting from time to time such a proportion of their produce as could be spared from the demands to which they are liable here.—This assertion will be clearly illustrated by a short abstract of the receipts and payments of the customs, for the year ended 10th October 1796.—In that year the receipts of the receiver-general's office amounted to

Of which sum were remitted to	£. 141,667 11 2
London	£. 20,000 — —
Aud paid in warrants from the Barons of Exchequer, for the support of civil establishment, &c.	38,631 8 2
	<hr/> 38,631 8 2
There remained a balance, which, had the mode of remittance now directed been then pursued, would have been remitted to London, of	83,036 3 —
Carried forward	£. 83,036 3 —
	Brought

Brought forward	—	£. 73,036	3	—
But in the same period there were paid by the receiver-general for charges of management	}	£. 29,422	7	11
Bounty on the whale fishery		2,806	17	4
On the herring fishery	—	25,759	13	7½
To the treasurers of counties for transmitting to London monthly accounts of the prices of grain	}	60	—	—
For bounties on foreign grain and flour imported		28,523	2	9½
And as a drawback on brimstone used in making oil of vitriol	}	128	10	—
In all		86,700	11	7½
Which sum exceeded the balance remaining after the deductions formerly stated by	}	3,664	8	7½

“ It must be obvious then to your Honours, what would have been the consequence of remitting that balance to London; and it seems unnecessary to add any thing more to demonstrate the impossibility of complying with the directions of the Lords of the Treasury; and that to establish any other rule for regulating the remittances on the consolidated duties of customs, than that which has hitherto been pursued, is in every point of view entirely impracticable.—With respect to the balances on the salt duties, we have only to observe, that they have of late years been barely sufficient, and in the last quarter not even sufficient to answer the demands from the Barons of Exchequer, and the other payments to which they are liable by law.

We have the honour to be, &c.

JOHN CAMPBELL,
Receiver-General.

Custom-house, Edinburgh,
7th October 1797.

RICHARD GARDNER,
Assistant Comptroller-general.

"AN ACCOUNT of the MONTHLY RECEIPTS and PAYMENTS of the Receiver-General's
Office, from the 5th of March to the 5th of July, in the Years 1795, 1796, and 1797."

STATE PAPERS, &c.

	R E C E I P T S.				P A Y M E N T S.			
	Receipts on Consolidated Customs.		Receipts on New Duties.		Total Receipts.		Payments, exclusive of Barons Warrants.	Payments or Warrants from the Barons of Exchequer.
	£.	s. d.	£.	s. d.	£.	s. d.	£.	s. d.
Month ended the 5th April 1795	4,667	19 11½	—	—	4,667	19 11½	6,013	14 10½
Ditto — 5th May 1795	2,294	18 7½	—	—	2,294	18 7½	1,430	14 8
Ditto — 5th June 1795	759	3 5½	106	18 2½	866	1 7½	4,442	10 9½
Ditto — 5th July 1795	348	11 5½	331	18 2½	680	9 8½	—	—
Ditto — 5th April 1796	7,020	5 9½	590	1 8½	7,610	7 5½	—	—
Ditto — 5th May 1796	2,615	5 10	941	7 10	3,556	13 8	—	—
Ditto — 5th June 1796	4,523	2 —	572	15 1½	5,095	17 2	—	—
Ditto — 5th July 1796	7,112	12 7½	1,202	15 6	8,314	8 1½	1,240	—
Ditto — 5th April 1797	2,659	4 1½	5,882	3 5	8,541	7 6½	1,000	—
Ditto — 5th May 1797	1,586	9 5½	5,732	12 2½	7,319	1 8½	500	—
Ditto — 5th June 1797	4,164	10 —	1,049	11 10	5,214	1 10½	1,000	—
Ditto — 5th July 1797	5,395	17 9	2,599	8 6½	7,995	6 3½	8,000	—
							10,251	7 11½
							7,015	15 8
							3,679	13 4
							10,035	12 7½
							9,854	13 10½
							10,733	1 8½
							13,231	6 7½
							16,112	15 9
							7,078	8 —
							10,251	7 11½

Custom house,
Edinburgh, October 1797.
(Signed) JOHN CAMPBELL, Rec^r General.
RICH^d GARDNER, Assist^t Compt^r General."

GENTLEMEN,

THE statement of your receiver-general and assistant accountant-general, in answer to my letter of the 28th of last month, having been under the consideration of the Lords Commissioners of his Majesty's Treasury, I am commanded by their Lordships to acquaint you, that observing the charges of management, and the bounties on the fisheries amount each to upwards of £. 20 per cent. on the revenue under your management, payable at times when the current duties may not be sufficiently productive to satisfy the same; their Lordships are aware of the inconvenience which might be experienced by remittances being made as closely as directed by my letter above referred to; but my Lords are still of opinion, that as the periods for paying the charges of management are regular, and the bounties on the fisheries are probably demandable at the same season, provision may be made for satisfying these at the usual times, subject to which it is their Lordship's pleasure the revenue should be remitted, as they were before pleased to direct, in consequence of the suggestions of the Committee of Finance; and I have it in command from their Lordships, to desire you will enforce these directions with the utmost care and vigilance.—The other bounties, stated in the paper by your officers, for grain and flour, it may be hoped will not occur again soon.

As no difficulty arises with respect to the new duties, my Lords are persuaded they will be remitted in future punctually as proposed.

My Lords think a strict observance of these directions of so much importance, that they are pleased to order that an annual statement of the revenue under your management shall be made as early in January as it can be prepared, showing the amount of the receipts, payments, and remittances, in every month, and the amount of the balance remaining on the last day of each, which you will transmit regularly for the information of their Lordships. I am,

Gentlemen, &c.

GEORGE ROSE.

Treasury Chambers,

14th Oct. 1797.

*Commissioners Customs,
Scotland.*

GENTLEMEN,

A consolidation and simplification of the laws of the customs having been recommended by the Select Committee of the House of Commons on Finance, in the last session of parliament; as likely to contribute greatly to secure and increase the collection of the duties, and to be attended with advantages stated in their observations; the Lords Commissioners of his Majesty's Treasury command me to transmit to you copies of letters which were written by me in the year 1788, to one of the members of your board, by order of the Chancellor of the Exchequer, on the subject; which are as follow:

“ SIR,

“ Cuffnells, 26th June 1788.

“ IT is a matter of considerable consequence to the commercial interest of the country, that a compendious digest should be formed of all the laws which relate to the importation and exportation of merchandise, comprehending a clear and distinct table of duties and drawbacks, where the merchant and dealer may find every circumstance of prohibition

“ tion

"tion or regulation, which can in any way relate to each article to which
 "the laws may possibly extend, arranged alphabetically, whether specifi-
 "cally charged with duty or not. You are, I am sure, aware that the
 "operation of the laws which regulate the importation of goods into this
 "kingdom is so extensive, that there are few articles (and those of little
 "moment) but what may, under some circumstances of importation, be-
 "come prohibited. The ability and uncommon industry with which you
 "prepared the tables and schedules for the consolidation act ascertain how
 "peculiarly you are qualified for such an undertaking: I have Mr. Pitt's
 "directions, therefore, to assure you, that you cannot render a more ac-
 "ceptable service than by turning your attention as early as possible to
 "the best means of carrying such a plan into execution. In order,
 "however, to render it more generally useful, and to prevent miscon-
 "struction as far as possible, it will be desirable that the particular cir-
 "cumstances of prohibition, to which every article may be liable, should
 "be inserted, either under each, or by a reference to a note at the bottom
 "of the page; and also, that the articles should be pointed out (which are
 "enumerated in the schedules and tables before alluded to) the importa-
 "tion whereof is not restrained by any particular statute, and which there-
 "fore may be brought into this country from any part of Europe, with-
 "out regard to the built or ownership of the vessel.

"If you can find leisure to undertake this work, you will have the
 "goodness to report to me, from time to time, the progress you make in
 "it, furnishing me with copies of such parts of the table as you may have
 "completed, that they may be taken into early consideration.

"I am, Sir, &c.

"GEORGE ROSE."

"Great George-street,
 "28th October 1788.

"SIR,

"AT the very time I am sending you the inclosed letter, and im-
 "pressed as I am with the importance of the subject of it, I feel it indis-
 "pensably necessary to call your attention to another matter*, which in
 "point of time is still more pressing; let me entreat you will give your
 "whole attention to that. The Board indeed must do without the at-
 "tendance of Mr. Stiles and yourself for a month or two. I have spoken
 "to Mr. Boone on the business this morning.

"I am, Sir, &c.

"GEORGE ROSE."

* The investigation respecting the fees,
 &c. in which Mr. Frewin and Mr. Stiles
 were afterwards employed under the au-
 thority of Parliament.

"Great George-street,
 "29th October 1788.

"SIR,

"I DID not omit, while I was in Hampshire, to consider the part of
 "the work which you have executed, in consequence of my former letter to
 "you, with the best attention I could give it; and I have great pleasure in
 "assuring you, that it is executed with great ability and apparent accu-
 "racy, precisely in the manner it was wished; what is, however, of in-
 "finitely more importance, it meets with Mr. Pitt's entire approbation, to
 "whom I have had an opportunity of communicating it since my return
 "to town.

"I have

" I have only to entreat, that you will proceed on it with as much expedition as the difficulty of the business will permit, and to assure you that it will not be Mr. Pitt's fault if you do not meet with a suitable reward.

" I am, Sir, &c.

" GEORGE ROSE."

In consequence of the directions in these letters you will learn from Mr. Frewin, that he has at different times since that period made a very considerable progress in the work entrusted to him; and that, laborious and extensive as it is, there is reason to believe it may be ready to be submitted to the consideration of Parliament in about twelve months; but as the Select Committee on Finance state further, that it has been represented to them, that all the laws of the customs might be clearly and correctly arranged under the heads of exportation, importation, and carrying coast-wise or internally; and that the principles being few, the text of the law might be comprised within a narrow compass, and the details of enumeration be distributed into separate schedules for each class of articles, I have it further in command from my Lords to refer you to the passage in the report alluded to, page 25, and to the papers (L. 1 & 2.) in the Appendix, with directions to you to report whether, in consequence of the said suggestions, it may be proper, in your judgment, to vary the method pointed out to Mr. Frewin in my letters, and which he has pursued to nearly a completion.

I am,

Treasury Chambers,
11th October 1797.

Gentlemen, &c.

GEORGE ROSE.

Commissioners Customs.

To the Right Honourable the Lords Commissioners of his Majesty's Treasury.

MAY IT PLEASE YOUR LORDSHIPS,

IN obedience to your commands, signified by Mr. Rose in his letter of the 11th October last, on the subject of consolidating and simplifying the laws of the customs, as recommended by the Select Committee of the House of Commons on Finance, in the last session of parliament, we have given the said letter, and the matters therein referred to, our best consideration, as also a letter from Mr. Frewin, in answer to one written by our secretary, in pursuance of our order on the said subject, a copy of which we annex, and respectfully

REPORT,

THAT no reason has occurred to us, in consequence of the plan propounded to the Select Committee on Finance by Mr. Cooper, one of the solicitors to this board, for any suspension of, or deviation from the work stated to be carrying on by Mr. Frewin, to have already had so high sanction, and to be considerably advanced towards completion.

In submitting however this remark, we think it incumbent upon us to observe, that this judgment is formed, not upon any inspection or examination of such plans, but upon their general scope and nature.

APPEND. VOL. II. 1798.

c

That,

That, in respect to Mr. Frewin's plan, we have to state to your Lordships, that if any detail thereof had been laid before this Board, according to the mode universally pursued by us in all matters referred for our consideration and opinion, it would have been out of our power to venture such opinion, without consulting our most competent and practical officers, and taking the best aid and experience to be obtained in our department.

That, in respect of the other plan, we have made a reference to Mr. Cooper, to the following effect :

" 12th October, 1797.

" Mr. ROSE having, by his letter to the Board of the 11th October instant, referred to the evidence given to the Select Committee on Finance, (L. 2.) in the appendix to their fourth report, Mr. Cooper is hereby directed to recur to what he has therein stated, respecting any mode or plan for the consolidation and simplification of the laws of the customs; and so soon as, upon due consideration, he is enabled so to do, he is to lay before the Board any suggestion or outline he is prepared to offer, for carrying into effect the accomplishment of the plan alluded to."

That a simplification and consolidation of the laws of the customs would not fail to be attended with much public benefit.

That at all events the execution of a measure so extensive and so important would demand the utmost care and accuracy, as well as great length of time, to complete; and therefore both plans, as far as we understand the subject, appearing to be materially distinct in their object, it will, we submit, be highly desirable that the public should reap the benefit of one, now so far advanced, while the other is tending to completion.

Custom-house,
5th December 1797.

THO^s BOONE.
W. E. AGAR.
WILL^m ROE.
J. BATES.

Great George-street,
15th October 1797.

DEAR SIR,

IN answer to your letter of the 13th instant, I have to request you will inform the Board, that I consider the plan of the work I have long been engaged in as fully explained in Mr. Rose's letter to me, of the 26th June 1788, now before the Board. I have made considerable progress in this business, pursuing the plan laid down in that letter, and I have every reason to believe, that it may be completed in about twelve months; but although the work is from a variety of causes at present in an imperfect state, I will with great pleasure communicate to the Board any part of it, or any further explanation they may wish to be furnished with, presuming that the papers so communicated will not be considered in any respect as official, but merely for the perusal of the Board, and the Board only.

I am, &c. &c.

R. FREWIN.

James Hume, Esq.

SIR,

SIR,

IN consequence of your letter of the 28th of September last, signifying the desire of the Lords Commissioners of his Majesty's Treasury, that this Board will take measures for the receipt of the revenue under their management, being paid into the Exchequer on the Monday or Tuesday in each week instead of the Wednesday, as at present, the Commissioners called upon the Receiver-general for his report thereon, and be having stated that the Tuesday morning in each week would be the earliest time in which such payment could be made with any degree of safety,

I have it in command to acquaint you, for their Lordships' information, that this Board have therefore directed the said Receiver-general to make his payments in future into the Exchequer on Tuesday in every week, instead of on Wednesday, as is now the practice; and that an account of the sum so paid in be laid before the Commissioners on the following board day, together with a statement of the balance then in the hands of the Receiver-general; and this Board submit to their Lordships the propriety of directions being sent to the Exchequer, in order that the money paid in, as before stated, may in future be received by the Exchequer officers on the Tuesday in each week.—I am also further commanded to observe, that the Receiver-general being required by the 4th of Ann, chap. 6. to make his payments into the Exchequer every Wednesday, the Commissioners are of opinion, notwithstanding the acquiescence of the present Receiver-general, that a clause in some act of Parliament will be necessary, directing such payment to be made on the Tuesday in every week, whereby all future receivers-general will be compelled to make their payments accordingly; and this Board have therefore given directions to their solicitor to prepare a clause to that effect.

Custom-house,

I am, &c.

J. HUME.

7th December 1797.

George Rose, Esq.

MAY IT PLEASE YOUR LORDSHIPS,

Mr. ROSE having, by his letter of the 28th September last (No. 3.) amongst other matters, signified that the Select Committee on Finance having expressed an opinion, that it may be proper to compensate the officers of this revenue in different situations for the deprivation of their holidays; and that he is commanded by your Lordships to direct us to have under our consideration what addition it may be proper to make to the incomes of such officers on that account, or whether any occasional indulgence may not be given them in lieu of the holidays, without interfering with the transactions of the ordinary business at the custom-house, and to report our opinion thereupon to your Lordships.

In obedience to your Lordships' said commands,

WE REPORT,

That occasional indulgence, as alluded to in the above matter of reference in lieu of holidays, could not, we apprehend, be introduced with systematic convenience to the service or accommodation to trade, nor probably without the augmentation of office, and consequent increase of expence, and therefore the only alternative left is the other, also suggested by your Lordships, namely, an addition to the income of the officer.

In further obedience to your Lordships' order, in offering an opinion as to the quantum of such addition, we submit with great deference, whether the most fair and equitable principle may not be by an increase of income to the officer in proportion to the additional labour and attendance required of him.

In order that your Lordships may form some general idea of the extent of this compensation, we think it right to remark, as far as we are at present enabled to form a judgment, that several classes of officers within the department will have no claim to this sort of remuneration; those to which we thus refer are, officers whose official duty does not intermit in consequence of holidays, and those who, being paid by the day when employed, will, so far from being injured, receive benefit by the regulation; and also such other officers as will be compensated for the loss of fees and gratuities under the intended measure of their abolition, will likewise, we apprehend, be excluded from claim for compensation on this ground.

Having thus submitted our opinion on the questions referred to us, we have only to wait your Lordships' directions for our government.

THO^S BOONE,
W. STILES,
F. F. LUTTRELL,
A. MUNRO,

Custom-house,
16th December 1797.

No. II.

PROCEEDINGS on the Fifth Report of the Select Committee on Finance, appointed in the last Session of Parliament.

EXCISE.

GENTLEMEN,

THE Lords Commissioners of his Majesty's Treasury observing by the Fifth Report of the Select Committee of Finance appointed by the House of Commons in the last session of parliament, that the net emoluments of Mr. Vivian, one of your solicitors, amounted, in the year 1796, to £. 3,346 4s. 8½d. I am commanded by their Lordships to desire you will transmit to me an account of all the sums paid for law charges in his department, distinguishing, under different heads, the amount of sums paid by him, and to whom.

I am, Gentlemen, &c.

Treasury Chambers,
28th Sept. 1797.

GEORGE ROSE.

Commissioners Excise.

To the Right Honourable the LORDS COMMISSIONERS of his
MAJESTY'S TREASURY.

MAY IT PLEASE YOUR LORDSHIPS,

IN obedience to your Lordships' commands, signified to us by Mr. Rose's letter of the 28th September, we have the honour of transmitting to your Lordships,

" An Account of all the sums paid for law charges in the department
" of Mr. Vivian, one of the solicitors of Excise, between 5th April
" 1796. and 5th April 1797, distinguishing under different heads the
" amount of sums paid by him, and to whom."

We are,

Your Lordships' most obedient,
and most humble servants,

Excise-office, London,
22d Dec. 1797.

M. WHISH,
J. OLMIOUS,
T. CASWALL,
R. NICHOLAS,
A. PHIPPS.

**An ACCOUNT of all the Sums paid by Mr. VIVIAN, one of the
Charges in his Department: distinguishing under different**

Sums paid to the Solicitor, being the amount of his bills for law charges	11,722 9 3
Sums paid by the collectors in the country for the ex- pences of witnesses attending the Court of Exchequer	993 4 3½
Sums paid by the clerk of the incidents for the expences of witnesses	— 11 6

Carried over = £. 12,722 5 10½

Solicitors of Excise, from 5th April 1796 to 5th April 1797, for Law heads the amount of Sums paid by him, and to whom,

Sums paid by the Solicitor.

	£.	s.	d.
The Attorney General	786	5	—
The Solicitor General	366	9	—
Mr. Newnham	318	3	—
Mr. Ridley	169	1	—
Mr. George Wood	150	3	—
Mr. Richards	4	4	—
Mr. Campbell	15	15	—
Mr. Hall	18	18	—
Counfels Fees			
Clerks to the attorney and solicitor general, and other counsel	76	14	—
Mr. Hewson, conveyancer's fees	2	2	—
The deputy remembrancer's fees	79	2	8
Clerk to the deputy remembrancer	15	15	—
The sheriff's fees for naming special juries, attending, calling over the juror's names in causes, and re-summoning juries	106	1	—
Special and common jurymen	455	14	—
The Lord Chief Baron's marshal's fees	158	2	8
The usher's fees	65	17	—
The cryer's fees	66	2	—
Messrs. Wood and Bennett, the Crown's clerks in court, fees and disbursements	2,240	6	3
Mr. Walker, the Crown's clerk in court in the Exchequer of Pleas	2	2	10
The under sheriff of Middlesex's fees on the execution of commissions for extents	32	—	6
Fees to the jurymen on the execution of commissions for extents	39	—	—
Fees to the commissioners to find Crown's debts to ground extents	128	2	—
Fees to the baron's clerks and servants on affidavits for baron's fiats for extents, &c.	19	12	—
Mr. Miles, the Crown's clerk in court agent's fees on making out writs of extent	16	15	—
Chaise hire and other travelling expences in going to the barons' country houses, and on the circuit, to obtain fiats for extents, and two journeys, the one to Lynn and the other to Maidstone on extents, and coach hire in town	47	15	1
Sheriff's fees for warrants, service of warrants and returns to writs	75	3	2
Carried over	£. 5,455	5	2

Brought over — £. 12,782 5 10½

N.B.—As the net emoluments of the solicitor appear, by this account, to exceed the amount which was returned to the Select Committee on Finance by £. 2,480 7s. 5½d. it may be proper to remark, by way of explanation, that the solicitor's report, upon which that return was founded, was drawn from an average of his emoluments for three years, of which that, for which the present account has been made out in strict conformity to the orders of the Lords Commissioners of his Majesty's Treasury, was the last.

His charges for each of those three years distinctly are as below; viz.

Year ending 5th April 1795	6,466 15 —
5th April 1796	7,708 13 10
5th April 1797	11,782 9 2

The amount of which is — 25,963 18 6

And as it may be presumed that the solicitor's payments for the two former years bore the same proportion to his total charges as in the last; and if a deduction be made of the £. 500 annually paid by him to the deputy solicitor, the average of his profits will be about £. 3,777. 13s. 3½d.

There will still remain a difference from the return made to the Committee, which the Board, conceiving Mr. Vivian the proper person to account for, have called upon him to do so; and he has stated, that he further deducted the salaries paid to his clerks, with other incidental disbursements necessarily arising in the transaction of his business.

Total — £. 12,782 5 10½

Excise Office, London, }
22d Dec. 1797. }

JAS WEBB, Accompt Genl.

Sums paid by the Solicitor.

		Brought over	£. 5,455	5	2
Commissioners' fees for executing indentures of appraisement for the condemnation of seizures	Fees on the condemnation of seizures.		46	—	—
Ref seizing officers' fees on the execution of indentures of appraisement for the condemnation of seizures			39	5	—
Mr. Miles, the Crown's clerk in court agent's fees for making out writs of delivery on the condemnation of seizures, &c.			3	6	—
The secretary of bankrupts' fees on searches for dockets for commissions of bankrupt to discover insolvency of Crown's debtors			59	19	—
Witnesses' expences attending trials			100	5	7½
Coach hire and clerk's expences attending trials, arguments, &c.			11	10	2
Bailiff's fees for arrests under attachments			4	4	—
Sheriff's and officers' fees on leaving habeas corpus to bring prisoners before the Court of Exchequer, and leaving orders of court			3	9	2
Service of subpoenas ad respondendum, and swearing affidavits of their service			44	5	—
Service of subpoenas to testify, and conduct money to the Crown's witnesses			49	11	6
Stamps for indentures of appraisement for the condemnation of seizures, leases, releases, bonds, affidavits, informations, replications, rejoinders, demurrers, &c. and for parchment			110	19	—
Robert Collins, costs of his prosecution on the bail-bond			6	3	1
Costs on the amendment of Mark Pratten's information			4	14	2
Messrs Thomas and Dudge, for making out an account of the quantities of glass, &c. made by Messrs Pidcock within three years			7	13	—
Tipstaff			—	7	—
Sheriff's poundage on levying Andrew Barclay's verdict			6	11	—
Searching at Doctors Commons			—	3	6
Extract of a will			—	12	—
Baron's order			—	2	—
Putting letters into post and postage			—	11	10
Bag-bearer and record-keeper for searches			—	4	—
Porters and their expences			1	7	6
Carriage of leather from Bristol			—	6	10
Carriage of Excise books from Stourbridge			—	2	—
			£. 5,961	17	6½
By payments in the country			993	4	2½
Ditto by the clerk of incidents			—	11	6
			£. 6,955	13	6½
Solicitor's emoluments			5,826	12	1½
Total			£. 12,782	5	10½

GENTLEMEN,

THE delay in the remittance of the money arising from the revenue under your management has been observed upon by the Committee of the House of Commons on Finance, in the last session of parliament; and on an attentive consideration of the subject, the Lords Commissioners of his Majesty's Treasury are of opinion, that remittances may be made much more expeditiously than at present, as well by the collectors to Edinburgh, as from thence to London, especially as far as relates to the latter. In England, the collectors pay the money into the hands of the remitters, on an average, within two or three days after they receive it, and always within six days; it is probable that in some parts to which your jurisdiction extends, the collectors may not be able to get bills on Edinburgh so expeditiously, but they should in all cases, where it is possible, remit the cash before they finish their collections. My Lords direct me also to observe that their expectations of regular remittances by the collectors, in future, extends as well to the licence and import duties, as to all the others, as it does not appear that any good reason can be assigned for a contrary practice having prevailed.

The detention of the public money by the receiver-general is, however, most complained of by the Committee, and to this point I am directed by my Lords to call your attention in a particular manner: there can be no difficulty in ascertaining the exact amount of the actual balance in the hands of the receiver-general every week, although his vouchers are checked, as you observe, only at the end of each quarter: It cannot be supposed that an officer, in such a situation, would, for any consideration, give an inaccurate statement; but if he were even capable of doing so, it must be discovered on the examination of the account with the vouchers at the end of the quarter. That officer should therefore be called upon by you to remit the whole balance in his hands each week, after having satisfied the current charges and, reserving at the end of the quarter, money sufficient to defray the expences of such part of the civil establishment as are charged upon it.

I am further directed by their Lordships, to desire you will transmit for their information, an account of the sums paid at the end of each quarter for the civil establishment, or in pursuance of orders from the Barons, in the last five years, distinguishing each.

I am,

Treasury Chambers,
3d Oct. 1797.

Gentlemen,

Your most obedient servant,

GEORGE ROSE.

Commissioners Excise, Scotland.

SIR,

WE have received your letter of the 3d instant, on the subject of the delay in the remittance of the money arising from the revenues under our management having been observed upon by the Committee of the House of Commons on Finance, in the last session of parliament; and signifying that, on an attentive consideration of the subject, the Lords Commissioners of his Majesty's Treasury are of opinion, that remittances may be made more expeditiously than at present, as well by the collectors to Edinburgh,

Edinburgh, as from thence to London, especially as far as relates to the latter.

In answer to which we beg leave to report, for their Lordships' information, that by this Board's general instructions (and from which we have not hitherto received any directions to depart) our collectors in the country are expressly ordered to have the money arising from their preceding round collection actually paid into this office before they enter upon the following round collection, without specifying to them at what period they are to make their remittances, or at how many days they are to draw. This arises from the impracticability of obtaining remittances with the same facility as in England, there being very few towns in this country where such remittances can be negotiated. And here we would beg leave to compare the difference arising from the two modes between England and Scotland. By your letter it appears, that the collectors in England "pay" the money into the hands of the remitters, on an average, within two "or three days after they receive it, and always within six days." Let the medium therefore be four days, which with twenty-one days and three days of grace, the shortest period at which these remittances, by the report of the said Committee on Finance, are made payable, make twenty-eight days before the money is paid into the General Excise Office. Now, as the round consists of forty-two days, and, at a medium, our collectors are employed ten days in collecting, the remaining thirty-two days are allowed to them for making up their accounts, having the money lodged in the General Excise Office, and preparing for the ensuing round collection. So that supposing the collectors in this country should avail themselves of the longest given time specified, their money, by this statement, will only be four days longer in being paid into the General Excise Office here than in England. Under these circumstances, therefore, we humbly submit to their Lordships the propriety of making an alteration in our present existing regulations on this head.

With respect to their Lordships' expectations of regular remittances by the collectors in future, to extend as well to the licence and import duties as to all the others, it not appearing that any good reason can be assigned for a contrary practice having prevailed; we beg leave to signify, that we shall immediately issue general orders to all our collectors at the out-ports not to retain any money in their hands longer than is necessary to procure proper bills for the return of it to this office, and to the collector at the port of Leith to pay over to our cashier all the duties received by him once every week; and also that all licence duties be returned and accounted for every round, in place of quarterly, agreeably to what we now understand to be the practice in England.

With regard to the balances in the hands of our receiver-general, we take the liberty to mention, that on this point we have in a great measure been governed by the opinion of our cheque officers, so as to meet the necessary occurrences that take place in carrying on the public service. Meanwhile we beg leave to say, that for some time past we have increased our remittances by lessening the balance in his hands; as the books of the Excise Office in London will shew. And we have only further to request, that you will assure their Lordships, that our attention shall be directed, in a particular manner, to leave no more balance in his hands than is absolutely necessary for carrying on the public service committed to our care.

Herewith you will be pleased to receive, for their Lordships' information, an Account of the sums paid at the end of each quarter for the civil establishment, or in pursuance of orders from the Barons, in the last five years, distinguishing each, as required in your letter.

We remain, with great regard,

Sir,

Your most obedient and most humble servants,

Excise Office, Edinburgh,
9th October 1797.

GEORGE BROWN,
JOHN GRIEVE,
S. WHARTON,
JA. STODART.

George Rose, Esq.

NORTH

NORTH BRITAIN.—An Account of the Sums paid at the End of each Quarter for the Civil Establishments, or in pursuance of Orders from the Barons of Exchequer in Scotland, in the last Five Years, distinguishing each. As required by Order of the Right Honourable the Lords of his Majesty's Treasury, and Letter of George Rose, Esq. dated 3d October 1797.

Paid in the Currency of the Quarters ending.	YEARS ending at MIDSUMMER.				
	1793.	1794.	1795.	1796.	1797.
10th October	£. s. d. 13,100 18 11	£. s. d. 19,322 18 6½	£. s. d. 19,106 5 8½	£. s. d. 29,874 14 11½	£. s. d. 24,061 15 8
5th January	13,895 7 2½	14,467 6 10½	14,177 7 8½	7,985 10 5½	11,203 6 11½
5th April	13,209 7 8	14,980 19 5½	17,150 — —	9,309 3 4½	13,542 12 6
5th July	13,812 19 —½	15,916 9 8½	19,912 5 11½	19,589 6 7½	14,058 18 10
Total of each year - - £.	54,017 12 10	64,687 14 7	70,345 19 4½	56,268 15 5½	62,866 13 11½

Excise Office, Edinburgh,
9th October 1797.

S. WHARTON,
JOHN GRIEVE,
GEO. BROWN,
JA^s. STODART.

JOHN HEPBURN, A. G.
JOHN STUART, D. Compt.

GENTLEMEN,

THE Lords Commissioners of his Majesty's Treasury were aware of the difficulties your Collectors might in some cases be under in procuring remittances in some parts of the country thinly inhabited, and where there are no manufactures, as suggested in my letter the 3d of this month; but their Lordships persuade themselves you will carefully and attentively observe the conduct of your port collectors, to ensure speedy remittances from them in the manner directed by my said letter, because they can be under no difficulty in procuring bills as the revenue comes to their hands.

On the subject of the remittances by your receiver general, I have their Lordships further commands to direct you not to trust to your check officers, but to examine the articles of his account and balances weekly yourselves, in order to enforce a strict observance of their Lordships orders on that subject.

My Lords think a strict observance of these directions of so much importance, that they are pleased to order, that an annual statement of the revenue under your management shall be made as early in January as it can be prepared, shewing the amount of the receipts, payments, and remittances in every month, and the amount of the balance remaining on the last day of each, which you will transmit regularly for the information of their Lordships.

“ I am, Gentlemen, &c.

GEORGE ROSE.

Treasury Chambers,
24th October 1797.*Commissioners Excise, Scotland.*

No. III.

PROCEEDINGS on the Sixth Report of the Select Committee on Finance, appointed in the last Session of Parliament.

STAMP OFFICE.

GENTLEMEN,

HAVING already, by command of the Lords Commissioners of his Majesty's Treasury, in my letter of the 13th July last, called upon you to acquaint me, for the information of their Lordships, whether the poundage allowed to the distributors of stamps may not, in consequence of the great increase of the revenue received by them, be reduced; I have now their Lordships directions, in consequence of their having had under their consideration the sixth article of the Select Committee of the House of Commons on finance, to desire you will make as speedy a report on that subject as you can; I am also to acquaint you, that they observe, by a statement in the said report, that the expenses in Scotland have increased from £. 4,878, in 1782, to £. 8,347, in 1796; and by an account from your office (inserted in the appendix to the said report) that of the latter the sum of £. 7,243 was for incidents alone, respecting which my Lords are desirous of having an explanation.

The observations of the committee respecting employments held by persons who do not execute the duties of them in person, having been under the

the consideration of my Lords, they are pleased to direct you to prepare a bill to be submitted to the consideration of Parliament, to provide, that on all future vacancies of employments, in the Stamp Office, the persons who shall be appointed to fill the same shall execute the duties thereof themselves; and in the mean time my Lords desire you will take into consideration the state of the Comptroller's Office, an immediate attention to which seems to be indispensably necessary: the amount to which the revenue under your management is now increased, and the variety of branches of which it is composed, render it very essential that there should not only be a regular and effectual check on the receipts and payments, but that the accounts should be kept with such method and regularity, as to render it easy for the officers to furnish expeditiously and correctly particulars of each, whenever they shall be called for.

I am further directed by the Lords Commissioners of his Majesty's Treasury, conformably to another suggestion of the Committee, to desire you will prepare, for their Lordships consideration, a new establishment for the officers of the revenue under your management, including therein all salaries, and such allowances as you shall now, from the experience you have had of the nature and extent of the duties of each, judge proper to be continued permanently: rewards for extraordinary trouble, which cannot be foreseen, may continue to be left to your discretion, under the controul of this Board.

My Lords think it necessary that you should likewise acquaint me, for their information, whether any precise period, very frequently recurring, can be fixed, at which remittances should be made by the distributors; or whether the precise amount of the balance can be directed, which each distributor shall not be allowed to exceed. On this subject the Committee remark, that the balance remaining in the hands of the distributor in Scotland was nearly £. 9,000 in April last, and the average in each month, in 1796, £. 11,000, after making all monthly payments and remittances; which monthly payments amounted only to £. 10,250. And the Committee recommend, after having considered your answers, dated the 8th of July last, to certain questions proposed by them to you, that no balance should be allowed to remain in his hands beyond the current receipt of each month, under an impression that the monthly receipt will be sufficient to answer all demands on the revenue on the spot.

You will of course give your attention to the sub-distributors in Scotland in your consideration of my letter of the 13th of July last, respecting a reduction in the poundage.

I am, Gentlemen, &c. &c.

GEORGE ROSE.

Treasury Chambers,
7th October 1797.

Commissioners Stamp.

To the Right Honourable the Lords Commissioners of his Majesty's Treasury.

MAY IT PLEASE YOUR LORDSHIPS,

WE his Majesty's Commissioners for managing the stamp duties, in obedience to your Lordships directions, signified to us by George Rose, Esquire, in his letter of the 7th instant, humbly report to your Lordships,

That all the regulations mentioned therein, as proposed by the Select Committee on Finance, so far as they regard this particular department of the

the revenue, may be carried into complete effect without any reference to the Legislature for its assistance, by our enforcing only the orders which your Lordships shall be pleased to make on that behalf, as they relate solely to the internal management of the office, and the conduct of the several persons thereunto belonging; under the different heads of personal attendance on the duties of their respective stations at the head office, and thereof allowance proper to be continued to those employed in the country, is the distribution of stamps.

With respect to the Comptroller's Office in particular, to which your Lordships have directed us to pay an immediate attention, we beg leave to observe, that we do not think it advisable to disturb a long established practice of dispensing with the personal attendance of the head of that department, especially at this time, when, from Mr. Brydson's age and infirmities, we could not expect to find him very active or useful therein: We nevertheless feel it our duty to state to your Lordships, that we are humbly of opinion, that the great increase of business, of a very various and complicated nature, in that office, will require some additional assistance for properly and satisfactorily carrying on the same in future; and, as we think that the mere addition of a clerk or two in that office would not answer the purpose, or enable us to exhibit to your Lordships, correctly and expeditiously, any official accounts, either in gross or in detail, as the case may require, when called upon for them, we humbly recommend it to your Lordships to establish a new officer, with the title of deputy comptroller and accountant general, at a salary of £. 350 per annum: and as we presume that whoever is appointed to this station will be duly qualified for it in every respect, we think there will be no impropriety in suggesting our wish, that the prospect of success to the higher office, in case of a vacancy, might operate as a further encouragement to a diligent and punctual discharge of his duty.

In answer to that part of Mr. Rose's letter, wherein, conformably to the suggestion of the Committee on Finance, the propriety of including in one official establishment all the payments by salary, instead of charging a part of them to the incidental account; we beg leave to observe that this deviation from the general mode has not been absolutely a matter of choice, but has arisen from the slow and gradual additions we have found it necessary to make to the settled number of officers, in consequence of the great increase of duty thrown upon us by successive Acts of Parliament, from the year 1779 to the present hour; and some of these duties being of a totally different nature from the former objects of taxation in this revenue, some also understood to be temporary and by way of trial, and in general of uncertain produce and effect, we thought it most prudent, under such circumstances, not to connect them immediately with the ancient establishment, but rather to keep them apart, until such time as experience and observation had decided as to their continuance and utility, and they should become, of course, an addition to the permanent income of the country, when the officers of this description would also be fixed and incorporated with the old and regular establishment; and, in fact, several of these duties have undergone some change or other, either by a total repeal, a temporary leaving them to others, or an entire transfer of management to different boards of revenue. We humbly presume that these circumstances will shew the propriety of our first arrangement.

It is likewise requisite to state to your Lordships further on this head, what cannot be supposed to occur to any but persons actually versed in the detail of our official management, that the business of this revenue is indeed
that

that of a great workshop, depending upon manual dexterity and bodily exertion for a due performance of the duty; that a principal part of it is task work, which must necessarily require a greater number of men to execute it to a certainty, agreeably to the demands that are made upon us for a given quantity of work at a fixed period, than can be required in the ordinary employments of office, whether of survey, or of collection, or at the desk. To this must be added the consideration of age, sickness, and the occasional calls of private concerns, not always to be resisted, which, together, will make it impracticable to abide strictly by any possible limitation of establishment, that your Lordships might be pleased to appoint; a discretionary power of occasionally increasing or diminishing the number of hands in a business of this kind, subject to continual variation in one way or other, must necessarily be vested in those who have the conduct of it.

And here, in further obedience to your Lordships' directions, we beg to observe, that we are now preparing, and will in short time submit to your consideration, a draught of a new establishment for our office, formed upon the plan recommended by Mr. Rose's letter, including both the stated salaries and such contingent payments as we have made to different officers from time to time, whose services, in consideration of the increase of duty, appeared to us to deserve some further encouragement and reward than are afforded them by the usual allowance; an object we shall be happy to accomplish to your Lordships' approbation, and the content and satisfaction of the officers under us in their several stations.

Preceding to the other capital charge on the revenue, which we are directed to consider and report upon, as well by Mr. Rose's previous letter of the 13th of July last, as by that herein before particularly referred to, viz. the poundage allowed to the different distributors of stamps in England, we see no reason to alter the opinion given on that subject in our report to the Committee on Finance, respecting a reduction of that allowance. The many new, and some very productive rates of duty, that pass through their hands have so increased their receipts, beyond any proportional increase of risk or trouble in the collection, that for us to neglect, at this time, so obvious and so fair an occasion of improving the revenue by an immediate retrenchment of *one per cent.* on all the money remitted by them, would argue in us a culpable inattention or indifference to its interests. And we do the more confidently recommend this reduction to take place in the country poundage, as the allowance of discount on ready money payments, for all the stamps issued at the head office, is, with the exception of some particular articles only, no more than two per cent.

The expediency of thus lowering the poundage on the sale of stamps in England being admitted, it follows, that the same measure should be adopted with respect to Scotland. The disproportion between the profit on such sale by the sub-collectors there, and that of London, being still greater, as the allowance to them is at the rate of ten per cent. so settled in the year 1714, when the poundage to the distributors in England was fixed at 2½ per cent. since which time it has not undergone any alteration, though the subject of a reduction has been more than once under consideration, but owing to some cause or other not hitherto carried into effect, yet as the arguments formerly adduced in support of so high an allowance of a very confined sale, and that the difficulty and expence attending the collection of a scanty revenue, through a great extent of country, not in a very improved state of commerce and cultivation, have, happily for the inhabitants, no longer any force, we must, in duty to the public, on an im-

tial consideration of the actual state of the two countries, strongly represent against such an allowance operating as a tax upon the *sovereign itself*, and which, as it cannot be any longer necessary, we presume your Lordships will be of opinion ought immediately to be discontinued; and that the rate of poundage to the sub-collectors in Scotland be fixed, for the present, at seven per cent.; a loss that will amply be made up to them by the accumulated stamp duties of the last Session of Parliament.

Your Lordships having been pleased to require an explanation of that article in the charge from Scotland, specified in Mr. Rose's letter under the general head of incidents, to the amount of £. 7,243, we beg leave to acquaint your Lordships, that, upon referring to the particulars, as stated by Mr. Menzies, the collector, it appears to consist of the following items: "Carriage of stamped goods, postage of letters, news-papers, advertising, printing, stationery, office insurance, necessary disbursements there, tradesmen's bills, exchange for return of money, parliamentary allowances of discount," (other than those specified) and "poundage to the sub-collectors," twenty-four in number; and that since the receipt of your Lordships directions, respecting the large balance usually retained in the hands of the head collector at the close of the month's account, we have again written to Mr. Menzies on that subject, and shall not fail to enforce the regulation recommended by the committee to be adopted in that respect.

In order to ensure the full benefit of the savings intended by the foregoing regulations, and to prevent as much as possible the detention of the public money in the hands of the different accountants, who, with a view to reimburse for this defalcation of interest, may be inclined to withhold, and apply to private uses the duties collected by them, instead of making prompt and full payment thereof, as they are bound to do. In answer to your Lordships enquiries on this subject (as stated in Mr. Rose's letter, pursuant to a suggestion of the Select Committee on Finance) we beg leave to observe, that to oblige the distributors to account with us more frequently, and to be able to ascertain the exact balances of cash in their hands at any time, would, without doubt, be a considerable improvement in our financial system; but, considering the great extent of some districts, and the number of sub-distributors dispersed throughout them, amounting in the whole to upwards of five hundred, many of whom are ill qualified to keep accounts at all intricate, and are with much difficulty induced to exhibit them to their principals, and to pay up their balances, when required so to do.—After full consideration of these circumstances, we are of opinion that no effectual alteration in these particulars can be at present adopted. The best method we can suggest of preventing abuses of this kind, which, where such a variety of persons is concerned, will, doubtless, sometimes exist, will be frequent visitation and examinations on the spot by persons properly qualified and duly authorised for that purpose. The advantages to be derived from such a control, occasionally applied, and faithfully executed, were too obvious to be long overlooked; and, accordingly, two officers of this description made an early part of our establishment, under the name of riding inspectors, &c.; and a third was added in 1718.—But these being quite inadequate to the business of the present day, we humbly propose, and hope it will meet with your Lordships' approbation, the immediate appointment of three new officers—men competent to the employment, and not above the business of it, to be denominated as above, at a yearly salary of one hundred and fifty pounds each, with such further allowance for their travelling charges, when on actual duty out of London,

as shall be necessarily incurred in the execution thereof; and, when not so employed, to be in constant attendance at the office, to receive such orders and perform such other business as we shall direct for the general benefit of the revenue.

As the subjects proposed to us for consideration naturally lead to enquire into what further improvements may be made in the general plan of management of our office, we hope to stand excused to your Lordships for submitting our opinion of the many advantages that would arise from a select choice of persons to fill the office of distributor.—The great increase of our duties in general, their extent and variety, the numerous Acts of Parliament respecting them, many of nice and difficult construction, requiring not only a thorough acquaintance with common business, but a portion of professional knowledge, the personal activity useful in detecting frauds, and personal influence and authority necessary to check and punish offenders, which would be greatly assisted by a fixed residence in some convenient part of their districts, the great trust, responsibility, and local consequence annexed to such an appointment, and other considerations not necessary to be enumerated, all contribute to place the officers of this description in a very different point of view, with respect to the public service, from that which, at the commencement of these duties, they might perhaps have been properly considered, merely as agents for the sale of stamps, few and simple in their denomination, and, comparative of very inconsiderable value and amount.

It will be obvious to your Lordships, that, in the present state of the revenue, something more is wanted.

All which is humbly submitted to your Lordships.

J. BINDLEY.
J. BYNG.
K. JENKINS.
W. R. SPENCER.

Stamp Office,
23d October 1797.

GENTLEMEN,

AS it is the intention of the Lords Commissioners of his Majesty's Treasury to submit to the consideration of Parliament a measure for enforcing the attendance of all persons who shall hereafter be appointed to employments in every branch of the revenue, I have no further directions to convey to you on that subject.—But my Lords having had under their consideration your report of the 29d October last, in answer to my letters of the 23th July and 7th October, I am commanded by their Lordships to acquaint you, that conformably to the opinion already expressed to you, respecting the Office of the Comptroller of the Revenue under your management, whose peculiar duty it is to check the various and complicated accounts which come before him, and to make them up in such a manner as to enable him to give clear and distinct statements of the produce of the several different articles of which your branch of the revenue consists, their Lordships are sensible of the necessity of some immediate measure being taken, and as Mr. Brydson, whose attendance has never been insisted upon, is represented by you to be now incapable, from age and infirmities, of an active and useful attendance on the duty of his office, their Lordships agree with you that it will be very much for the advantage of the public service, that an efficient and able assistant to the principal in that of-

lice should be appointed, with a competent salary for the present: my Lords, desirous however to avoid any increased charge to the public thereby, beyond the life of the present principal, are pleased to determine, that, on the death of Mr. Brydone, the person now to be appointed his assistant shall succeed him as comptroller; and Mr. Charles Stedman having been strongly recommended to their Lordships for his abilities and integrity in the discharge of a public trust formerly reposed in him, by which great savings were effected in the department to which he belonged, their Lordships have been pleased to appoint him to be assistant Comptroller, and to determine that he shall succeed to the principal office in the department on the death of Mr. Brydone. My Lords are of opinion, the sum recommended by you would be a sufficient salary for the assistant comptroller, but Mr. Stedman having now an allowance from the public of 200*l.* a year, in consideration of his extraordinary merits, before alluded to, which he will cease to receive after he shall be in possession of this employment, their Lordships are pleased to direct, that his whole salary shall be 450*l.* per annum; Mr. Stedman will then receive, in addition to his present allowance, 100*l.* per annum less than you recommend as a proper allowance to the officer.

My Lords admit the importance of preventing the appointment of insufficient persons to be distributors of stamps, and to other offices of trust under you, their Lordships therefore command me to acquaint you, that they will not in future appoint any persons to such situations until you shall certify on a reference to you) that the person proposed to be put in the situation is properly qualified in all respects to discharge the duties of it.

It is also their Lordships' determination, in all cases where you shall state it to be essential to the revenue, to attend to your recommendation in favour of inferior officers to fill higher situations, in order to create an emulation among them.

My Lords have attentively considered what you represent respecting the poundage to distributors, and their Lordships are not satisfied that it may not admit of a further reduction than to 4*l.* per cent in England, and 7*l.* per cent for the sub-collectors in Scotland, having in view the great proportion the revenue bears now to the amount of it at the time the last reduction was made; their Lordships are therefore pleased to direct you to re-consider your opinion on that subject, and to state to them the result thereof, that they may decide finally thereupon.

Your suggestion of the advantage to be derived from frequent examinations on the spot of the accounts of distributors and sub-distributors, to ensure regularity, and to compel punctual remittances from them, appears to my Lords to afford the best prospect of reducing the balances in the hands of those officers, and for that purpose my Lords will immediately appoint two additional riding inspectors, with the salaries recommended by you; but I am to direct you to consider whether it may not be more expedient to proportion the riding charges, in some measure at least, to the distances the inspectors shall go, than to give them fixed allowances.

My Lords having had under their further consideration the report of the Select Committee of Finance in the last Session of Parliament, and observing in a schedule thereto, that the duty of the correspondent in your office is performed entirely by the clerks in the secretary's office, are pleased to direct that the said employment shall be discontinued; you will therefore of course omit it in the new establishment you are preparing under their Lordships' orders: my Lords will however not object to continuing to the present

sent possessor an allowance equal to his salary, till he can be placed in some situation in which he may be useful.

I am, Gentlemen, &c.

Treasury Chambers,
13th December 1797.

GEORGE ROSE.

Commissioners of Stamps.

No. IV.

PROCEEDINGS on the Seventh Report of the Select Committee on Finance, appointed in the last Session of Parliament.

POST-OFFICE.

MY LORDS,

THE Report of the Select Committee on Finance, made in the last session of Parliament, on the revenue under your directions, having been under the consideration of the Lords Commissioners of his Majesty's Treasury, I am commanded by their Lordships to desire you will prepare for their consideration, an instruction to the Accountant General, for him to keep a regular account of the receipts and payments of the Receiver General, made up weekly, so as to ascertain the exact balance in his hands at the end of every week, stating at the foot of each the known demands in the week following; the current receipt of each week will probably be sufficient to answer the charges as they come in, till towards the end of the quarter, when a sufficient reserve may be made.

The examination of all bills in the department of the surveyor by himself, is perhaps as effectual a check as any that can be applied; but our Lords are clearly of opinion, that all other bills whatever should undergo an investigation by the accountant-general, who should not confine his attention, as at present, merely to the right casting of the sums, but should carefully examine the vouchers for all the charges, as well respecting the authority for their having been incurred, as the fairness of the prices and the actual payment of the money, previously to your granting your warrant for satisfying the same, for which examination and controul authority should be given in the instructions now to be prepared.

It is certainly competent to your Lordships to give any instructions and orders to the receiver-general, or any other officer in the revenue under your directions, that you may think necessary, as the appointment of any of them being from the Treasury ought not to prevent their being obedient to all orders they shall receive from you.

Your Lordships are aware that the salary of the receiver-general was increased to £. 800 a year, that he might have no pretence for keeping any public money in his hands; notwithstanding which there is great reason to believe his balances are not reduced so regularly and punctually as they ought to be. They were indeed higher in 1796 than in 1783, even allowing for the increased expences to be defrayed.

It does not appear that there would be any difficulty in that officer keeping his cash at the Bank, if he can, by one or more of his own clerks,
obtained

obtain the acceptances of all bills before he sends them in there; and when the check by the accountant-general above directed shall be established, the receiver-general may be compelled to pay in his balances weekly, with the reservations for which provision is to be made. This should apply equally to the Postmaster at Edinburgh, who may retain what he receives from the several deputies in the country, with the moneys at his head office, weekly.

On the subject of the packets, respecting which there has been much communication with your Lordships and your predecessors, I am commanded by my Lords to desire you will strictly enforce the rule against any of your officers or agents having any pecuniary connections with the branch of the expenditure, equally with every other.

The reasons stated by Mr. Bennett, in his examination before the Committee, on the 26th of June last, do not appear to my Lords positively conclusive against means being taken to ascertain whether the packet service can be carried on more economically than at present, and with the same regularity; their Lordships are therefore pleased to direct you to cause enquiry to be made, whether any individuals or companies are willing to make proposals for furnishing vessels for a certain term to carry on the service, and on what conditions, taking upon themselves all risks which they can cover by insurance. The contract may probably be made for such a period as to allow sufficient time, before the expiration of it, in making a new one with other parties, if it should be necessary.

As the public is burthened with a charge to a considerable amount for officers, who upon a change of establishment have been deprived of their incomes, my Lords are desirous it should be made an established practice to appoint to situations that should become vacant, such of the said officers who have been removed, as shall be judged fit to fill the vacancies, in order that every saving may be made which can be effected consistently with the public service.

The allowing compensations at the charge of the public to officers rendered incapable by age or infirmities of continuing to discharge the duties of their employments, is either not practised in other branches of the revenue, or if permitted at all, is suffered only with a very sparing hand. The principle, though a right one, is capable of so much abuse as to render it necessary to be extremely guarded in acting upon it; my Lords are therefore pleased to direct, that some regulations should be proposed for their consideration, to establish certain checks for preventing any officer or other person in the post-office being recommended to their Lordships for an allowance in the nature of superannuation, or of a compensation, except in cases which shall be judged to entitle them to the same.

The observations of the Committee, respecting employments held by persons who do not execute the duties of them in person, having been under the consideration of my Lords, they are pleased to direct you to prepare a bill to be submitted to the consideration of Parliament, to provide, that in all future vacancies of employments in the post-office, the persons who shall be appointed to fill the same shall execute the duties thereof themselves.

The various investigations which have been had on the business of the post-office, have led to many alterations and improvements: The Committee on Finance are however of opinion, that some parts of the establishment have still need of revision and improvement. My Lords are therefore persuaded, that you will have this under your most attentive and immediate consideration, for the purpose of reporting to them what further
advantage

advantages can be derived to the public, either by savings in the charges of management, or by giving further facility to the conveyance of letters. On this part of the subject, the Committee suggest the possibility of the revenue being improved, as well as accommodation being afforded to commerce, by a more gradual charge on letters, proportioned to their weight; and that the extension of the conveyance by mail coaches is desirable for the sake of security, even where dispatch and economy cannot materially be improved. Your Lordships will therefore be led also to consider, whether any further improvement can be devised respecting the first of these points, than was afforded by the act passed in the last session of parliament; and whether any thing more can be done for the safe conveyance of letters.

I am,

Treasury Chambers,
7th October 1797.

My Lords, &c.
GEORGE ROSE.

Postmaster General.

To the Right Honourable the Lords Commissioners of his Majesty's Treasury.

MY LORDS,

WE have the honour to represent to your Lordships, in answer to Mr. Rose's letter of the 7th of October, touching certain matters mentioned in the report of the Select Committee on Finance upon this office, that almost every point recommended in the report of the Commissioners of Enquiry, referred to by that Committee, has either in substance been carried into effect, or, having been attempted, has been discontinued for reasons which, in the mind of the postmaster-general, were convincing and satisfactory.

After this preliminary observation, we have first to state to your Lordships, in reply to Mr. Rose's letter, that the accountant general has been frequently invited to establish upon the receipt of this revenue any new checks he might think necessary: And we refer your Lordships to his statement delivered into the Committee on Finance, from which it appears, that "his checks are totally unrestrained, certain, and effectual."

In consequence of your Lordships' directions, that instructions should be drawn up for the accountant-general to keep a regular account of the receipts and payments of the receiver-general, so as to ascertain the exact balance in his hands at the end of every week, we have called upon the accountant-general for his opinion as to the practicability and effect of such a regulation, which opinion we inclose.

He states, that such a mode may be reduced to a regular system by the current warrants being daily registered in his office, and that by those, and other documents in his possession, he shall be completely enabled to lay before the postmaster-general the distinct proportion between the receiver-general's weekly balance and the floating public demands; but this duty will require more assistance, and will fully employ one additional clerk, to whom a less salary than £. 70 a year ought not to be given.

If the accountant-general's ideas are adopted, which it seems very proper to do, we shall be able to ascertain, at the end of the present quarter, very nearly what the "reserve" in the receiver-general's hands ought to be, both as it regards the weekly payments, and those demands made towards the end of the quarter; but at present we cannot state it

with

with the accuracy necessary to the attainment of your Lordships' object.

With respect to all bills undergoing an investigation by the accountant-general, as to the "fairness of the prices," we beg leave to state it is our opinion, that no one man can be competent to such investigation, and even if he were, that the present mode is infinitely superior, and a much better check upon the expenditure of the public money than the other, and upon this point we must be under the necessity of explaining ourselves at large.

The great expenditure of this department branches into four different heads:

First, the packet service.

Second, the mail-coaches.

Thirdly, the conveyance of the mails by horse and cart.

Fourth, building and premises.

For the packet service, our inspector, who was recommended to us by the Navy Board, examines all articles of expenditure, compares them with the current prices, is in the responsibility of what he recommends us to pay, and no bill whatever receives our warrant until it has his previous signature: The articles are of such various descriptions, that none but a person brought up to the profession could possibly judge as to the correctness of the charge; and in proof of our assertion we have it in our power to state, that the accuracy and industry of the inspector has saved the revenue a very considerable sum, exclusive of near £. 20,000 saved by the reduction of the pay for hire, &c. in the course of the last five years.

The mail coach expenditure is certain and unvaried, except in very few cases, the contractors agreeing to perform the service at one penny per mile each way, an allowance of guards, and an exemption from turnpikes; any incidental bills, previous to our warrant for payment, are examined and signed by the superintendent of that department, who is extremely competent to his duty, and responsible to us for the same.

The conveyance of mails by horse and cart is always agreed for by the surveyor of the district, and is ever given to the person who will undertake it upon the lowest terms; the reasons of any advance are fully detailed by the surveyor to our secretary, and reported upon by him to us, previous to its being sanctioned; so that the check upon the expenditure in this instance also appears to us to be as effectual as possible.

Upon the other article of expenditure, viz. the buildings, &c. as Mr. Rose's letter admits the surveyor's examination of the bills to be as effectual as any, it is unnecessary to explain particulars relative to it; but your Lordships will at once see that the principle admitted to be correct in the surveyor's instance, applies strictly to the other branches of expenditure which we have enumerated.

With respect to the small articles of expenditure, the solicitor's bills are examined by a respectable and independent person in the profession; and in the West India Islands, and at Halifax, Nova Scotia, any expenses incurred (which is not often the case) are certified by two respectable merchants and inhabitants of the place; and in all possible instances we ascertain that the prices charged are the fair and usual prices before we issue our warrant for the payment of any demands made upon us.

Upon this subject it is only necessary to add, that the accountant-general does examine all vouchers, and is satisfied as to the proper appropriation of the monies granted by our warrant.

With

With respect to the receiver-general's keeping his cash at the bank, we beg to refer your Lordships to his statement inclosed, by which it appears that an increase to the establishment of his department will be necessary, if that plan be adopted; it is however very practicable.

The sending out for acceptance the numerous and valuable bills remitted by the country postmasters, will not only occasion great additional trouble, but very much increase the responsibility of the receiver-general; at present his banker sends out all the bills for acceptance: if he is to be directed in future to pay into the bank of England all the remittances he receives, he will be under the necessity of employing two or more persons for the sole duty of presenting country bills for acceptance; in that case he must not only take very large security from the persons so employed, but their situation in his department must, in point of salary, be rendered valuable in proportion to the amount of security required. The receiver-general states it as his opinion, that no less than two permanent clerks will be necessary, if the cash be to be kept at the bank, and if the arrangement as to the state of the public balance in his hands be adopted.—We therefore presume, that in that case the salary to the first of the two clerks to be appointed should be 100*l.* and to the second 80*l.* per annum.

As to the amount of the monies in the hands of the deputy postmaster general of Scotland, we have all reason to believe it as small as possible, and that as soon as the balance can be ascertained it is remitted, at least so it is stated to us by the accountant of the Edinburgh office: we shall however direct our deputy there to remit weekly what he receives from the postmasters in that kingdom, and his receipts at the head office; if upon experiment this does not answer the purpose (of which we have some doubts) we shall see whether in consequence of the late increased rate of postage, he cannot remit 10,000*l.* instead of 8,000*l.* every quarter previous to the exact balance being ascertained.

We have it also in contemplation to direct the postmasters of some of the principal towns in this kingdom to remit a given sum in the middle of each quarter, instead of their waiting, as they now do, until the end of the quarter, for the accounts sent from this office to them specifying the balance due from them to this revenue: this regulation will considerably accelerate the payments into the exchequer.

What your Lordships have observed upon the present packet establishment, makes it necessary for us to go at length into that subject.

The present plan was the result of much consideration, and all possible information was obtained from every department capable of affording it, as well as from individuals, before we determined upon it, subject as it was then to your Lordships' rejection or approbation. We had the strongest disposition to advertise the packets, and were only prevented from the adoption of that or some other mode, by a thorough conviction that the present was the best.

In support of this assertion it is necessary to state, that, whenever we have wanted occasional packets, we have not been able in any one instance to get them furnished at so reasonable a rate as those upon our own establishment; and before we determine upon the establishment, one of the first merchants in London was consulted upon every article of their expence, and he declared it was impossible he or any other merchant could undertake it for less.

If we were to advertise for persons to contract to supply the packets for the service of this office, there would no doubt be numerous offers to undertake a business of the kind, and some of them might appear more advantageous to the public than the present terms; but in a matter of so

with the postmaster-general for the time being, who are responsible for the trust reposed in them; but if such a bill be necessary, similar to that (*mutatis mutandis*) which was proposed in the year 1783, to compel persons to execute their own duties in the West Indies, and not to be absent without leave, we will direct our solicitor to prepare a bill for your Lordships' consideration, to be proposed to the House of Commons, if you shall think fit.

After the laborious and minute investigation of every office upon the establishment of this department, and upon which that establishment was sanctioned by the Privy Council, we are not aware what parts of the charges of management will admit of improvement or reduction: if such parts be pointed out, we shall most readily consider and report upon them.

We beg leave to state, that it is matter of constant and daily consideration how the correspondence of the country can be most facilitated and improved, either by the establishment of new mail coaches, or by the opening new communications by the horse posts. The infinite variety of alterations carried into effect each year sufficiently proves, that when opportunity offers it is not, nor will it ever be neglected; and we have considerable pleasure in acquainting your Lordships, that the produce of the revenue has amply repaid the expences which we have caused to be incurred in the opening of such new communications.

As your Lordships direct us to consider, whether any further advantage or improvement can be derived to the correspondence in addition to that afforded by the act passed in the last session of Parliament, we think it necessary to call your Lordships' attention to a letter from us of the 23d January, 1797, on the subject of settling with the Irish government the rates of packet postage between the two kingdoms; for the want of which a very considerable loss to the revenue is daily sustained, inasmuch as many of the letters to and from Ireland, and a great part of this kingdom, pass at a less rate of postage than they did previous to the act alluded to by your Lordships.

We also beg to refer your Lordships to Mr. Freeling's plan for the modification of the rates of postage, part of which plan was the foundation of the late act. It appears to us that considerable advantages would accrue to the revenue, if the principles of that modification were to be extended in the way he has pointed out; at present it stops short at the distance of 150 miles, and no greater rate of postage is demanded for the conveyance of a letter 500 miles than for 150.

A very material reason for our argument is, that even with an additional tax to places above 150 miles, the post office would still have the monopoly of the conveyance of letters, as they cannot be carried so cheaply by any other means, consequently there could be no inducement to send letters by illegal conveyance.

Your Lordships have directed us also to state, "Whether any thing can be done for the safe conveyance of letters." We call your Lordships' attention to a plan drawn up by Mr. Freeling, by our direction, for the guarding all the horse mails and cross road posts in the kingdom, which plan was sent to your Lordships on the 14th of March, 1796, and also to subsequent letters of the 23d January, 1797, and of the 6th April, 1798; in which we represent how extremely necessary it is to adopt that plan, and how impotunate the inhabitants of some of the first towns in the kingdom have been for that protection to which they think their correspondence is entitled; and we confess, since the late additional tax upon letters, their representations are the more reasonable.

With respect to a more gradual charge "upon letters proportioned to their weight," it is a matter that requires the greatest consideration, and we are not yet prepared to report our opinion upon it to your Lordships. We intend to collect the sentiments of our principal officers upon the subject, and we shall lay the result before your Lordships as soon as possible.

We are, &c. &c.

General Post Office,
31st October 1797.

CHESTERFIELD.
LEICESTER.

Paper No 1.—mentioned in the foregoing Report.

To the general circumstance of the check on the receiver-general by the accountant-general on the receipts and payments of the post office, the latter begs leave to refer their Lordships to his report on that subject to the Committee of Finance.

To the particular one, relative to the weekly examination of the receiver-general's balance, so as to ascertain how far the money retained in his hands does or does not bear a due proportion to the necessary money issued by him for the public service, agreeably to the warrants from the postmaster-general, the accountant-general can have no hesitation in giving it as his opinion as a check officer, that it may be reduced to a regular system by the current warrants from the Board being duly registered in this office, specifying the periods on which they become payable, to be compared with the weekly payments as stated, together with the Exchequer payments by the receiver-general, as also his weekly receipts from the different offices, and the money received from the deputy-postmaster's remittances as become due. With these materials before him, the accountant-general, furnished as he already is with the established checks from the different offices, will be completely enabled to lay before the postmaster-general the distinct proportion betwixt the receiver-general's weekly balances, and the floating public demands. In stating this to their Lordships, the accountant-general begs leave to represent the unavoidable increase of duty to his department that will naturally arise, for their Lordships' particular consideration, when such regulations are adopted.

Accountant-general's office,
12th October, 1797.

THOS. CHURCH,
Dep^y Account^t Gen^l.

Paper No. 2.—mentioned in the foregoing Report.

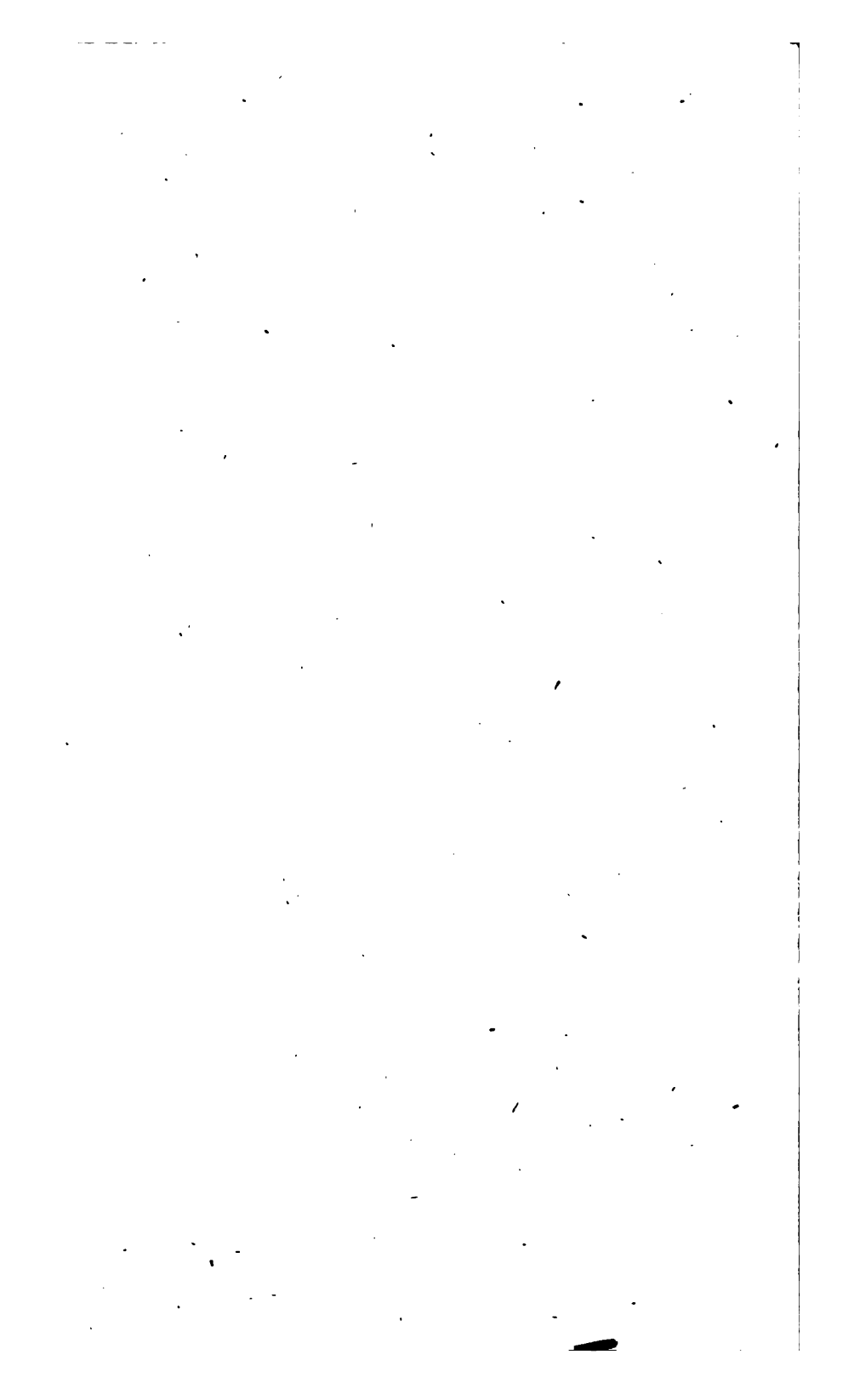
The receiver-general is equally desirous, from duty and inclination, to obey the instructions of both the Lords of his Majesty's Treasury and the postmaster-general, relative to the arrangements and statement of the public balance due to the revenue at all times remaining in his hands, in such manner as their Lordships may think most conducive to the public service—but begs leave to observe, that it will render a further establishment absolutely necessary in his department. The current weekly receipts of revenue, though more than equal to the demands at certain periods, yet at the beginning of each quarter are by no means equal to the demands on the receiver-general at that period, who is consequently under the necessity of making such reserve, by a balance at the end of the quarter, as appears to him, from a comparison of the usual demands in each quarter, as will be sufficient to pay the warrants issued by the postmaster-general.

With

With respect to the receiver-general's keeping his cash at the bank, he certainly could not object to it, if the same usage prevailed there as at a banker's, that of procuring the acceptance of bills, the immense number of which would require considerable additional assistance in his own office; and he submits it to their Lordships' opinion, how far that would be practicable under the present increased duties of his department, for the due performance of which he has long been under the constant necessity of employing extra clerks, to whom he is of opinion such an important trust cannot properly be given with safety to the revenue. And further begs leave to observe to your Lordships, that the detailed weekly accounts of his receipts and payments, made up in a manner conformable to the idea of the Lords of the Treasury, communicated to the postmaster-general, and to establish the necessary communication with the accountant-general, added to the labour of procuring acceptance of the bills continually passing through the receiver-general's hands, would, he is firmly of opinion, fully employ two permanent clerks in addition to those at present employed in his department.

Receiver-general's office,
12th October 1797.

J. BOWDEN.



Paper No 3—*mentioned*

A statement of the loss sustained by the capture of packet boats, on the Falmouth station, between the 5th of April 1793, and the 10th of October 1797; also a calculation of what would have been the amount of the expence of insuring the packets on that station against capture by the enemy for the same period.

AMERICA AND WEST INDIES.

Antelope	£. 2,750
Queen Charlotte	3,295
Prince Wm. Henry	2,458
Tankerville	2,437
Active	2,609
Princess Elizabeth	4,121
Sandwich	1,965
Tartar	2,371
Swallow (Salvage)	507
Grantham (D ^o)	600

23,113—

Insurance 163 voyages,
at 10 guineas per cent.
on £. 2,700 46,210 10

At 8 guineas per cent. 36,963—

LISBON.

Expedition	3,250
King George	2,900
Thynne	2,470

8,620—

Insurance 128 voyages,
at 7 guineas per cent.
on £. 3,000. 28,224—

Add one guinea per cent. 4,032—

32,256—

CORUNNA.

Arab	1,976
Dutchess of York	2,000
Princess of Brunsw.	2,000

5,976—

Insurance 50 voyages, at
7 guineas per cent. on
£. 2,600 7,350—

Add one guinea per cent. 1,050—

8,400—

Balance in favour of the
office

£. 37,709—

44,075 10

£. 81,784 10

£. 81,784 10

Total loss by cap- }
tures, as above } 37,709
Balance in favour of }
the office } 39,910

£. 77,619

The insurance of the
whole at 8 guineas,
as above. £. 77,619—

in the foregoing Report.

The insurance for the Jamaica voyages is now 16 guineas out and home, the Leeward Islands 12 guineas, and the American voyages 8 guineas. this calculation is made at 10 guineas on the whole, as an average for the 3 years past, but by the sum paid for captures and damages in engagements, it appears the office has, by running the risk, incurred the expence of £.5. 2s. 8½d. per cent. only—On the Lisbon station £.2. 4s. 7½d. instead of 7 guineas per cent.—And on the Corunna station £.5. 19s. 6d. instead of 7 guineas per cent.

Upon the whole of the Falmouth station, since the commencement of the war, the office has saved £.44,075. 10s. by not insuring.

A respectable underwriter has given it as his opinion, that were all the packet boats on the Falmouth station insured in one policy, 8 guineas might be a fair price; even at that rate the office would have saved £.39,910 by not insuring.

J. B. BENNETT, Inspector.

October 27th, 1797.

MY LORDS,

THE mode proposed by the Adjutant General of the revenue under your management, for keeping a regular account of the receipts and payments of the Receiver General, so as to ascertain the exact balance in his hands at the end of every week, appears to the Lords Commissioners of His Majesty's Treasury to be likely to be effectual: I have it therefore in command from their Lordships, to desire your Lordships will give directions for the same being adopted; and my Lords are pleased to approve of the Accountant General being allowed another clerk at seventy pounds a year for that purpose.

With respect to the check on the expenditure, as far as relates to the packets, my Lords agree with your Lordships, that the examination of the same by the Inspector is, as in the instance of the Surveyor with regard to the buildings, the best that can be applied; but their Lordships are pleased to confirm their directions, communicated in my letter of the 7th October, that in every other branch of your department the prices should be checked, and the vouchers should be examined by the Accountant General, which will not prevent any previous check or examination by such other officers as your Lordships may think useful.

On the subject of appointing to vacancies such officers who upon a change of establishment have received pensions, my Lords expect the directions contained in my letter above-mentioned to be punctually complied with, as far as in each case that can be done without defeating the fair and just pretensions of those in actual employment, who from various causes may have a claim to fill such vacancies, as my Lords cannot be satisfied with your Lordships merely having their instructions on that head under your future consideration and attention.

My Lords will themselves take the necessary measures for proposing to Parliament a Bill to prevent, in all future appointments, the duty of any officer in the revenue being executed by deputy.

The degree of inconvenience stated by the Receiver General to be likely, in his opinion, to attend his depositing at the Bank the public money which comes to his hands, does not appear to my Lords to justify a non-compliance with the recommendations of the Committee of Finance on that subject, as it does not appear to my Lords that much risk can be incurred by his obtaining the acceptance of bills previous to their being sent to the Bank, which are probably seldom due when they come to his hands: my Lords are therefore pleased to desire your Lordships will give the necessary directions for the Receiver General opening an account with the Bank of England.

My Lords will have under their further consideration the other parts of your report of the 31st of October, and will communicate their pleasure to your Lordships thereupon, as soon as they shall decide on the same.

I am,

My Lords,

Your Lordships most humble servant,

(Signed) GEORGE ROSE.

Treasury Chambers,
12th Dec. 1797.

Postmaster General.

No. V.

PROCEEDINGS on the Eighth Report of the Select Committee on Finance, appointed in the last Session of Parliament.

TAX-OFFICE.

GENTLEMEN,

THERE is a suggestion in the eighth report of the Select Committee of the House of Commons on Finance, in the last Session of Parliament, that the advantages derived by the Receivers General of the taxes under your management are more than sufficient to compensate them for the additional trouble occasioned thereby; and that the increasing facility with which the commercial intercourse of the country has been carried on internally for some years, has lessened the difficulty of remittances to London; I have it, therefore, in command from the Lords Commissioners of His Majesty's Treasury, to desire you will state to their Lordships, whether you are of opinion (on consideration of the observations above-mentioned) remittances can be made more quickly or regularly than at present by the Receivers General, and consequently their balances be kept lower than they have been.

I am further directed by my Lords, in consequence of another suggestion of the said Committee, to direct you to report whether, considering the circumstances above referred to, there still exists a necessity for continuing to the receivers in Wales, and a few other distant counties, where the collections are small, the allowances they have, in the nature of a poundage, for conduct money.

The charges of management in Scotland are stated to be nearly double to those in England, although there are none on the land tax: if the computation is made on the whole receipts, they are little more than 4l. 6s. per cent. but if the land tax is deducted, as it should be, there being no charges on that, the rate will be 6l. 13s. per cent. My Lords are aware, that considering the extent of Scotland, compared with the amount of the revenue collected in it, the expences must necessarily be much heavier, in proportion to the net amount, than in England; that an augmentation having been lately made to the Salaries of the Surveyors, on a recommendation from the Barons of the Exchequer, and that the gentlemen in the country have complained of the insufficiency of the allowances to the collectors in wide districts, wherein small sums are payable, there is not much reason to hope the expences can be reduced; but my Lords are desirous of knowing whether you think any reduction thereof is possible.

The loss and inconvenience to which the public has been subjected by the detention of money in the hands of different persons, who have, within the last thirty years, been Receivers General in Scotland, renders it extremely desirable that measures should be taken to enforce a more speedy remittance of the taxes, than under the present regulations; my Lords are therefore pleased to direct you to report to them how that can be done most effectually.

It appears the Receiver General has now a poundage to the amount of 730l. a year (exclusive of what will arise from the taxes lately imposed) and a salary of 650l. the latter being admitted by him to be rather more than sufficient to cover charges of all sorts. If, however, you shall, on considera-

tion of the subject, be of opinion that some increased allowance should be made to him in lieu of his being allowed to retain any large balances, their Lordships desire you will state in what manner you think that should be made, and to what extent.

As the reasons which induced the legislature to provide for the appropriation of the commutation tax, under the act of the 24th Geo. III. cap. 31. in the manner directed by this act, no longer exists, I am directed, by my Lords, to desire you will have a bill prepared for the said duties being paid immediately into the Exchequer, instead of being remitted to the customs, as at present, in order that their Lordships may submit the same to the consideration of Parliament.

My Lords are pleased to direct you, at the same time, to report what measures will, in your opinion, be most likely to enforce the speedy transmission of the money by the county collectors to the Receiver General in Scotland; as it appears by a return made to the Committee on Finance, that the arrears in their hands, or due by the country, were £.190,000 on the 5th of April last, although the annual receipt is only £.136,000: or, if it shall appear to you, that greater regularity on that subject cannot be enforced, that you will state to their Lordships the reasons which induce you to think so. On this point the answers of Mr. Hamilton, the present Receiver General, and of Mr. Fordyce, formerly in the same situation, printed in the appendix to the report before referred to (A 15 and 16) may be worthy your attention.

I transmit to you herewith a copy of a letter from me to the Lord Advocate for Scotland, respecting a suggestion of the Committee for making the estates of debtors to the Crown in Scotland liable to Exchequer process in England.

I am, Gentlemen, &c.

GEORGE ROSE.

Treasury Chambers,
7th Oct. 1797.
Commissioners Taxes.

GENTLEMEN,

AS it appears by an account laid by you before the Select Committee of the House of Commons on Finance, in the last Session of Parliament, that the money due from the estate of the late Mr. Jackson, as Receiver General for the county of Huntingdon, cannot be recovered till a claim of the Crown in right of the droits of Admiralty on the said estate is ascertained; I am commanded by the Lords Commissioners of His Majesty's Treasury to direct you to lay before the Attorney and Solicitor General a state of the proceedings which have been had, and of the right you conceive the public to have in Mr. Jackson's remaining property, and desire their opinion what is fit to be done for settling the question, in order to the produce being made available either to the Crown or to the public.

I am, Gentlemen, &c.

GEORGE ROSE.

P. S. The Solicitor to this office carried on the suit against the late Mr. Jackson, and has directions to give all the information in his power upon the subject.

Treasury Chambers,
7th Oct. 1797.
Commissioners Taxes.

MY LORD,

CONSIDERABLE difficulties have arisen in recovering from public accountants in Scotland, money received by them for taxes, as your Lordship knows, owing to real estates in that part of the united kingdom not being subject, as in England, to the payment of debts due to the Crown by Receivers and their sureties; on which subject, observations have been made by the Select Committee on Finance in the last Session of Parliament; I am therefore commanded by the Lords Commissioners of His Majesty's Treasury to desire your Lordship will acquaint me, for the information of my Lords, whether you see any material objections to the law being altered with respect to Scotland, as suggested in the said report, copy of which I have the honour to inclose.

I am, my Lord, &c. &c.

GEORGE ROSE.

Treasury Chambers,

11th Oct. 1797.

The Lord Advocate for Scotland.

SIR,

I AM commanded by the Lords Commissioners of His Majesty's Treasury to transmit to you copy of a letter they have directed to be sent to the Commissioners of the Taxes, on the subject of the debt due to the public from the late Mr. Jackson, Receiver General of the land tax for the county of Huntingdon, and Receiver of the droits of Admiralty; and to desire you will give them all the information in your power respecting the suit carried on by you against Mr. Jackson, as receiver of the said droits.

I am, Sir, &c.

GEORGE ROSE.

Treasury Chambers,

12th Oct. 1797.

Joseph White, Esq.

SIR,

Edinburgh, 7th Nov. 1797.

IN obedience to the commands of the Lords Commissioners of His Majesty's Treasury, signified to me by your letter of the 11th last month, and in which I am directed to state, for their Lordship's information, whether any material objections occur to me, why real estates in Scotland should not be made subject, as in England, to the payment of debts due to the payment of debts due to the Crown, I beg leave humbly to report,

That by the act of union of the two kingdoms, and by the British act, 6 Ann. cap. 26. establishing the Court of Exchequer in Scotland, it has been fixed and settled that the Crown shall have no preference, by writ of extent or otherways, over the real landed estates of its subjects in Scotland. But this does not prevent the Officers of the Crown, or of the revenue, from attaching such estates for debts due to the Crown, in the same manner and on the same footing as any private creditor may do in satisfaction of any private debt.—This may be done either by adjudication, or judicial sale of the debtor's estate: but as the law of Scotland admits all creditors, who enter an appearance within a year after the date of the first adjudication, to come in equally with such adjudger for a rateable share of the debtor's estate; and as the forms of bringing an estate to judicial sale are tedious, a considerable period of time usually elapses before the price of such estate can be divided rateably among the different creditors.

I do humbly conceive, that the proposal to alter the law in these respects is liable to many unfurmountable objections. It would be considered by all descriptions of persons in Scotland, as a direct breach of the treaty of union.

union. It would directly tend to annihilate, in a great degree, the complete security which the records of Scotland afford to all persons lending their money on the faith of them; and would not, in my opinion, add to the ultimate security of the Crown, which, either by prosecuting the personal estate or the sureties of the Crown debtor, or by attaching his and their real estates in the manner above stated, must be as effectually secured, as by introducing a preference, which, previous to the union, was unknown in the law of Scotland, is repugnant to its principles, and as such was explicitly provided against by that treaty, and by the British Parliament.

I have the honour to remain, &c.

R. DUNDAS.

George Rose, Esq.

To the Right Honourable the LORDS COMMISSIONERS of his
MAJESTY'S TREASURY.

MAY IT PLEASE YOUR LORDSHIPS,

IN obedience to your Lordship's commands, signified to us by Mr. Rose's letter, dated the 7th October last, desiring our opinion on certain suggestions contained in the eighth report of the Select Committee of the House of Commons on Finance, in the last Session of Parliament, we have taken the same, with the report itself, into our consideration, and humbly represent as follows:

- 1st. "Whether, on account of the present advantages derived to Receivers General, and on account of the increasing facility of the commercial intercourse of the country, remittances can be made more quickly or regularly than at present by the Receivers General, and consequently their balances be kept lower than they have been?"

It is certainly true, that the number of new duties within these few years have increased the receipt, and consequently the poundage of the receivers; but their trouble and charges have likewise increased in a great degree: they have incurred considerable expence and inconvenience in giving additional securities, and obtaining their new commissions: they are obliged to keep a separate account of the numerous duties, and to pass them with the auditor at an increased expence; they take more time in going through their receipts, and require additional assistance. From these circumstances we apprehend that the situation of the Receivers of small counties is very little benefited, and the profits of other Receivers by no means so much increased as they appear to be. We are therefore of opinion, that it would not at present be advisable to reduce those balances, which they have hitherto been permitted to retain, for the purpose as well of indemnifying themselves for their heavy expences, as being better able to answer the frequent demands which are made upon them for public services. In giving this opinion, we hope we shall not be thought to be inattentive to the principles of economy so properly recommended. We consider the office of Receiver to be an important trust; and we are apprehensive, that if its profits were further reduced, it would cease to be an object with persons of consequence in the country, and of course fall into the hands of persons of much less respectability than the present Receivers.

- 2dly. "Whether there is any necessity for continuing to the Receivers in Wales, &c. the allowance of conduct money?"

We have reason to believe, that the same cause which first gave rise to that allowance, continues still to exist in a considerable degree; the distance
those

those Receivers have to travel, the smallness of their receipts, and the quantity of small money (particularly in Wales) they are obliged to receive, make their expences proportionably greater than those of other Receivers. As some proof that our opinion is not unfounded, a respectable Welsh Receiver has recently resigned his office, because that he thought that his profits were inadequate to the risk, trouble, and expence. We are therefore of opinion, that this allowance of conduct money should be continued to those Receivers; but that the balances suffered to remain in their hands should be, as they usually have been (within these few years) less than those of other Receivers by about £2,000.

3dly. "Whether any reduction of the charges of Management in Scotland is possible?"

Upon this point we beg leave humbly to submit, that, from the very little communication we have ever had with Scotland (the internal management of the taxes being immediately under the Barons of the Exchequer) we are unable to give your Lordships that information it is our earnest wish to do; but from the great extent of Scotland compared with the amount of the revenue, from the Surveyors Salaries having lately been encreased by recommendation of the Barons of the Exchequer, and from the gentlemen of the country having complained of the insufficiency of the allowances to the collectors of wide districts, we are inclined to think, that in the present state of Scotland, little or no reduction in the charges of management is possible.

4thly. "What measures will be most likely to enforce the speedy transmission of the money by the county collectors to the Receivers General?"

The Barons appear to be at present vested with ample powers for that purpose; but by far the greatest part of the sum stated by the Committee to be in arrear on the 5th of April last was due from the country, it being the custom in Scotland not to begin the collection of the land tax until the year is nearly expired, nor that of assessed taxes till after the whole year is due.

As this custom appears to have been long established, we fear there may be great difficulty in any immediate change; but upon this point, as well as the preceding, we humbly submit, whether it might not be proper for your Lordships to consult the Barons of the Exchequer in Scotland, to see how far the management of the taxes there may be made to assimilate with those of England, and more conformable to the directions of the acts of Parliament.

5thly. "What measures should be taken to enforce a more speedy remittance from the Receiver General in Scotland?"

Experience having shewn the ill policy of so large a sum being permitted to remain in his hands, we are of opinion, that his balances should in future be reduced to the same standard with those of the Receivers in England, and that a compensation should be made by an allowance of poundage on the land, the same as he is now allowed upon the other taxes. This, with the £650 salary as Receiver of Crown Rents and Casualties, which is admitted to be more than sufficient to cover all his expences, we apprehend will be sufficient advantage to make the office respectable. It is, however, by no means equal to the profits hitherto enjoyed by the present Receiver, who probably expected to hold his office upon the same terms as his predecessor. Whether any, or what compensation should be made to him on that account, we presume not to give any opinion.

We have only now to add the assurance of our unremitting attention in preventing

preventing all the Receivers from keeping larger balances in their hands than it shall be thought proper to limit them.

We are, your Lordships, &c.

GEORGE BLOUNT.
CHARLES DERING.
JOHN FARNABY.
BARNE BARNE.
H. HAYES.

Office for Taxes,
4th Nov. 1797.

MY LORDS,

THE Lords Commissioners of His Majesty's Treasury having had under their consideration a report of the Commissioners of Taxes on a letter their Lordships directed me to send to them, in consequence of the suggestions contained in the eighth report of the Select Committee of the House of Commons on Finance, in the last Session of Parliament, respecting the reduction of the charges of collecting the land and other taxes under their management, and of the more speedy remittance of money by the county collectors to the Receiver General, and of the payments by the latter into the Exchequer, I am directed by my Lords to transmit to you extracts from the said report, so far as relate to North Britain, and to desire your Lordships will take the observations therein contained into your consideration, and report to my Lords your opinion on the measures to be adopted that will be most likely to attain the objects proposed by the Select Committee.

I am, &c.

Treasury Chambers,
2d Dec. 1797.

GEORGE ROSE.

In this letter was inclosed as much of the preceding report of the Commissioners of Taxes as relates to the revenue in Scotland.

Barons of Exchequer in Scotland.

No. VI.

PROCEEDINGS on the Ninth Report of the Select Committee on Finance, appointed in the last Session of Parliament.

SALT-OFFICE.

GENTLEMEN,

YOU were apprized by my letter of the 5th July last, of the intentions of the Lords Commissioners of His Majesty's Treasury, to submit to the consideration of Parliament the placing the collection of the salt duties under your management, and of directions having been given by their Lordships for obtaining the most correct information that circumstances would admit, in order that they might be enabled to form a judgment how far such transfer would be likely to be advantageous to the public revenue.

The Select Committee on Finance, in the last Session of Parliament, have since recommended the measure, and a Bill has been drawn for transferring the management of the above-mentioned duties to the excise accordingly,
which

which I now send to you by their Lordships commands; and I am further directed to desire you will have the same under your consideration immediately, and return it to me on or before the 14th of next month, with such observations as may occur to you thereupon, that the whole may be laid before the Attorney and Solicitor General.

It is also extremely desirable that you should consider, with as little delay as possible, what arrangement it will be necessary for you to make in the event of the Bill being passed into a law, to prevent any unnecessary delay in carrying it into execution, as well with respect to the appointment of officers, as furnishing them with proper instructions. You will of course, in that case, take into your service such of those as are now employed under the Commissioners of Salt, as you shall judge fit to be continued in situations of trust.

There is a clause in the Bill to enable the Lords Commissioners of His Majesty's Treasury to make provision for such officers in the salt revenue as cannot in future be employed in it under your management; and it will be satisfactory to my Lords to be informed, as soon as you shall have had the necessary communication with the Commissioners of Salt Duties, what temporary charge will be likely to be brought on the public by allowances of the sort alluded to.

I am, Gentlemen, &c.

GEORGE ROSE.

Treasury Chambers,
25th Sept. 1797.
Commissioners Excise.

GENTLEMEN,

VARIOUS circumstances respecting the revenue under your management have induced the Lords Commissioners of His Majesty's Treasury to consider whether it may not be proper to submit to Parliament a proposal for placing it under the direction of the Commissioners of Excise, or to suggest some new provisions for checking frauds and abuses in it, leaving the controul with your Board. With a view to these objects, their Lordships have directed Mr. Jackson, one of the Commissioners of Excise, to repair to some of the principal salt works in different parts of the kingdom, with an experienced officer of that revenue, in order that he may form a judgment on the spot, whether the excise survey and regulations can be usefully applied in the progress of the manufacture, and in the delivery of the article, whether for exportation, for the fisheries, or for home consumption: and their Lordships being of opinion that it is necessary one of your officers should attend Mr. Jackson, I am commanded by my Lords to direct you to order one of the most intelligent and best informed officers you have, to meet Mr. Jackson at such place as he shall appoint, and to follow all directions he shall receive from him in the course of his investigation.

I am, Gentlemen, &c.

GEORGE ROSE.

Treasury Chambers,
5th July, 1797.
Commissioners Salt.

GENTLEMEN,

A BILL has been prepared under the authority of the Lords Commissioners of his Majesty's Treasury, to be submitted to the consideration of Parliament, for transferring the collection of the salt duties to the management of the Commissioners of Excise; which I have this day transmitted to that Board for their consideration, with directions to them to consider what

APPEND. VOL. II. 1798.

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arrangements

arrangements it will be proper for them to make, and what officers to employ, in the event of the Bill being passed into a law:—I am therefore commanded by their Lordships to direct you to give such information on the subject as the Commissioners of Excise may, from time to time, apply to you for.

I am, Gentlemen,

Your most humble servant,

GEORGE ROSE.

Treasury Chambers,
25th Sept. 1797.
Commissioners Salt.

No. VII.

PROCEEDINGS on the Tenth and Eleventh Reports of the Select Committee on Finance, appointed in the last Session of Parliament.

HAWKERS AND PEDLARS, AND HACKNEY COACHES.

GENTLEMEN,

THE opinion formerly suggested by the Commissioners appointed by Parliament for taking and stating the public accounts, respecting the suppression of one or more of the Boards for managing some of the smaller branches of the public revenue, having been confirmed by the Select Committee of the House of Commons on Finance in the last Session of Parliament; and the Lords Commissioners of His Majesty's Treasury having had the same under their consideration, are of opinion, that you may be able, without much inconvenience, to take upon yourselves the management of the duties on hawkers and pedlars, and on hackney coaches, especially if the Legislature should judge it proper at the same time to confine the jurisdiction respecting complaints against owners and drivers of the latter to the Justices of the Peace.

I am therefore commanded by their Lordships to desire you will, without delay, prepare a Bill accordingly; in doing which the Commissioners for the duties before mentioned will of course give you every sort of assistance in their power: and after a full communication with them on the subject, my Lords are pleased to direct you to report which of the officers now in those departments it will be necessary should be employed under you, and at what Salaries.

I am further, by command of my Lords, to direct you will insert a clause in the said Bill, to be submitted to the consideration of Parliament, for enabling their Lordships to make provision for the Commissioners, and the officers under them, in the offices to be suppressed.

I am, Gentlemen, &c.

GEORGE ROSE.

Treasury Chambers,
2d Oct. 1797.
Commissioners Taxes.

GENTLEMEN,

THE Select Committee of the House of Commons on Finance, in the last Session of Parliament, having in their tenth report suggested the propriety

prerty of suppressing your Board, and transferring the management of the duties now under your direction to some other department; I am commanded by the Lords Commissioners of His Majesty's Treasury to acquaint you, it is their intention to submit to the consideration of Parliament, to place the said duties under the management of the Commissioners for affairs of taxes, who are directed to prepare a Bill accordingly; in which it is the intention of my Lords to propose a power to themselves to make a provision for the members of your Board, and other persons in your office, whose services shall not be thought necessary under the Board of Taxes.

I am, Gentlemen, &c.

GEORGE ROSE.

Treasury Chambers,

2d Oct. 1797.

Commissioners Hawkers and Pedlars.

GENTLEMEN,

THE Select Committee of the House of Commons on Finance, in the last Session of Parliament, having in their eleventh report suggested the propriety of suppressing your Board, and transferring the management of the duties now under your direction to another department; I am commanded by the Lords Commissioners of his Majesty's Treasury to acquaint you, it is their intention to submit to the consideration of Parliament to place the said duties under the management of the Commissioners for affairs of taxes, who are directed to prepare a Bill accordingly; in which it is the intention of my Lords to propose a power to themselves to make a provision for the members of your Board, and other persons in your office, whose services shall not be thought necessary under the Board of Taxes.

I am further directed by their Lordships to desire you will acquaint me, for their information, whether you are aware of any objection to the power of hearing and deciding on complaints against owners and drivers of hackney coaches being confined to Justices of the Peace, instead of a Revenue Board having a concurrent jurisdiction with them, as at present.

I am, Gentlemen, &c.

GEORGE ROSE.

Treasury Chambers,

2d Oct. 1797.

Commissioners Hackney Coaches.

To the Right Honourable the LORDS COMMISSIONERS of his
MAJESTY'S TREASURY.

MAY IT PLEASE YOUR LORDSHIPS,

IN obedience to your Lordships commands, signified to us by a letter from Mr. Rose, dated the 2d of October last, in which your Lordships are pleased to express your opinion, "That we may be able, without much inconvenience, to take upon ourselves the management of the duties on
"hawkers and pedlars, and on hackney coaches, especially if the Legislature should judge it proper at the same time to confine the jurisdiction respecting complaints against the owners and drivers of the latter to the
"Justices of the Peace;"

We have taken the same into consideration; and beg leave to assure your Lordships that we will, with great cheerfulness, undertake the management of the duties on hawkers and pedlars, and also of those on hackney coaches (independent of the jurisdiction) in the manner above stated by Mr. Rose's letter.

In obedience to your Lordships further directions, we have had communication with the Commissioners of hackney coaches, who have given us every information in their power relative to that office; from which it appears to us, that the following officers will be necessary to carry on the business, when placed under our management.

A receiver and register, and two messengers, at the salaries they at present enjoy.

We have also been attended by the principal clerk, who is likewise deputy cashier, of the hawkers and pedlars office, and who has done the principal part of the duty of that office for many years; and we are of opinion, that two clerks and one messenger will be sufficient to do all the business of this department in London, at the same salaries they now receive. That the business of granting licences to hawkers in the country, and the detection of offences, will be better looked after by our surveyors of houses, &c. who are nearly two hundred in number, than by the surveyors who are at present employed in that service, and who are only seventeen in number, including those in London: and we apprehend, from the best judgment we can form at present, that the business required of them, when divided among so many, will be so inconsiderable, as not to entitle them to any other emolument than what may arise from their share in the conviction of offenders, and the poundage of two pence in the pound, hitherto allowed upon the receipt of the duties.

We have directed our Solicitor to prepare a Bill with the clause inserted, agreeable to your Lordships directions.

We are, &c. &c.

GEORGE BLOUNT.
CHARLES DERING.
JOHN FARNABY.
BARNE BARNE. —
EDW. MEDOWS.
H. HAYES.

Office for Taxes,
14th Nov. 1797.

No. VIII.

PROCEEDINGS on the Twelfth Report of the Select Committee on Finance, appointed in the last Session of Parliament.

PENSION DUTIES.

SIR,

THE Select Committee of the House of Commons on Finance, in the last Session of Parliament, observe, in their report on your office, that the revenue received by you is paid into the Exchequer by monthly payments from January to December; that the balance in January last, of £.1,525, was paid in on the 2d of that month; that on the close of the account a small sum was due to you; and that in the end of April last you had in hand £.411. The Committee then proceed to remark, that the system of holding money in your hands continues to exist; and recommend that the revenue should be paid into the Exchequer weekly, or that the cash should be kept
at

at the Bank :—which having been under the consideration of the Lords Commissioners of His Majesty's Treasury, I am commanded by their Lordships to direct you to keep the public money received by you at the Bank, unless you can, without inconvenience, make the payments weekly into the Exchequer.

I am, Sir, &c.

GEORGE ROSE.

Treasury Chambers,

7th Oct. 1797.

Thomas Ainslie, Esq.

Receiver of the 6d. Duty.

SIR,

THE Select Committee of the House of Commons on Finance in the last Session of Parliament, observe, in their report on your office, that the revenue received by you is paid into the Exchequer by quarterly instalments, and the whole previous to the 5th of January in each year; that the balance in your hand was, at the end of April last, £.8,700. The Committee then proceed to remark, that the system of holding money in your hands, continues to exist; and recommend that the revenue should be paid into the Exchequer weekly, or that the cash should be kept at the Bank :—which having been under the consideration of the Lords Commissioners of His Majesty's Treasury, I am commanded by their Lordships to direct you to keep the public money received by you at the Bank, unless you can, without inconvenience, make the payments weekly into the Exchequer.

I am, Sir, &c.

GEORGE ROSE.

Treasury Chambers,

7th Oct. 1797.

John Lane, Esq.

Receiver of the 1s. Duty.

Upper Eaton-Street, Grosvenor-Place,

October 9th, 1797.

SIR,

I am honoured with your letter of the 7th instant, informing me that the Lords Commissioners of His Majesty's Treasury having had under their consideration the report of the Select Committee on Finance, relative to my office of Receiver of the Shilling Duty on Salaries and Pensions, their Lordships have been pleased to command you to direct me to keep the public money which I receive at the Bank, unless I can, without inconvenience, make the payments weekly into the Exchequer.

In answer, I have to request the favour of you to represent to their Lordships, that the system which I have hitherto followed, of making quarterly payments into the Exchequer, has been in pursuance of the express direction of the act of the 32d Geo. II. ch. 33d, and that till now I never received any other instructions.

With regard to the proposed plan of making the payments weekly in future, I beg leave to observe, that owing to the very irregular periods of my receipts, I am frequently several weeks together without receiving any thing, and consequently it would not be practicable for me to make regular weekly payments; but if that were not the case, I humbly conceive that a material inconvenience would arise in the adoption of that plan, from the considerable increase of expence for tallies, and other office fees, which would attend the execution of it. But with respect to my depositing the public money which I receive at the Bank of England, instead of intrusting it to the custody of my

No. IX.

PROCEEDINGS on the Fifteenth Report of the Select Committee on Finance, appointed in the last Session of Parliament.

TREASURY.

EXTRACT of Treasury Minute of the 10th of Oct. 1797.

READ the fifteenth report of the Select Committee of the House of Commons on Finance, in the last Session of Parliament.

My Lords, in conformity with the opinion expressed by the Committee, are pleased to direct that no new year's gifts shall be received in this department in future.

Let notice be given to the several offices and persons usually paying the same accordingly; but as an opinion is expressed by the Committee, that reasonable compensation should be granted to all persons interested in the receipt thereof, whose situation in the office, or the amount of whose salaries may require it; and it appearing to the Board, that under the regulation in 1782, for reducing the incomes of the secretaries and clerks, in peace and war, below the average of the profits in time of peace, the emoluments of the clerks are not proportionate with their labour and responsibility, especially compared with those in other offices, their Lordships are pleased to order that sums equal to the amount of the new year's gifts received by the chief clerks, or any other clerks in the office, shall be paid to them out of the fee fund.

MY LORD,

THE Lords Commissioners of His Majesty's Treasury having had under their consideration a report of the Select Committee of the House of Commons on Finance, in the last Session of Parliament, respecting this office; I am commanded by their Lordships to acquaint you, they have determined that the practice of receiving new year's gifts by any person in this department shall be discontinued, that you may not send them as heretofore.

I am, my Lord, &c. &c.

GEORGE ROSE.

Treasury Chambers,

10th Oct. 1797.

*Auditor of the Receipts of
His Majesty's Exchequer.*

Similar letter to the Tellers of Ditto.

Paymaster General.

Ditto — Forces.

Ditto — Marines.

Bank of England.

South Sea Company.

Treasurer of Navy.

Mint.

Tax Office.
 Stamp Ditto.
 Hackney Coach Ditto.
 Privy Purse.
 Master of the Horse.
 Receiver General of Customs.
 Cashier Excise.
 Clerk of the Pipe.
 King's Remembrancer.
 Postmaster General.

No. X.

PROCEEDINGS on the Sixteenth Report of the Select Committee on Finance, appointed in the last Session of Parliament.

SECRETARIES OF STATE.

SIR,

I AM commanded, by the Lords Commissioners of His Majesty's Treasury, to desire you will represent to Lord Grenville, that the reports of the Select Committee on Finance in the last Session, will soon be under the consideration of Parliament, and that their Lordships are desirous of receiving his Lordship's sentiments on any matters contained in the sixteenth report, with respect to the office of Secretary of State.

I am, Sir,

Your most humble servant,

GEORGE ROSE.

Treasury Chambers,

11th Dec. 1797.

George Canning, Esq.

[A like letter to Mr. King, in the Office of the Duke of Portland, dated as above.]

SIR,

I AM commanded, by the Lords Commissioners of His Majesty's Treasury, to desire you will represent to Mr. Secretary Dundas, that the reports of the Select Committee on Finance in the last Session, will soon be under the consideration of Parliament, and that their Lordships are desirous of receiving his sentiments on any matters contained in the sixteenth report, with respect to the office of Secretary of State.

I am, Sir, &c.

Your most humble servant,

GEORGE ROSE.

Treasury Chambers,

11th Dec. 1797.

William Huskisson, Esq.

No. IX.

PROCEEDINGS on the Fifteenth Report of the Select Committee on Finance, appointed in the last Session of Parliament.

TREASURY.

EXTRACT of Treasury Minute of the 10th of Oct. 1797.

READ the fifteenth report of the Select Committee of the House of Commons on Finance, in the last Session of Parliament.

My Lords, in conformity with the opinion expressed by the Committee, are pleased to direct that no new year's gifts shall be received in this department in future.

Let notice be given to the several offices and persons usually paying the same accordingly; but as an opinion is expressed by the Committee, that reasonable compensation should be granted to all persons interested in the receipt thereof, whose situation in the office, or the amount of whose salaries may require it; and it appearing to the Board, that under the regulation in 1782, for reducing the incomes of the secretaries and clerks, in peace and war, below the average of the profits in time of peace, the emoluments of the clerks are not proportionate with their labour and responsibility, especially compared with those in other offices, their Lordships are pleased to order that sums equal to the amount of the new year's gifts received by the chief clerks, or any other clerks in the office, shall be paid to them out of the fee fund.

My Lord,

THE Lords Commissioners of His Majesty's Treasury having had under their consideration a report of the Select Committee of the House of Commons on Finance, in the last Session of Parliament, respecting this office; I am commanded by their Lordships to acquaint you, they have determined that the practice of receiving new year's gifts by any person in this department shall be discontinued, that you may not send them as heretofore.

I am, my Lord, &c. &c.

GEORGE ROSE.

Treasury Chambers,

10th Oct. 1797.

*Auditor of the Receipts of
His Majesty's Exchequer.*

Similar letter to the Tellers of Ditto.

Paymaster General.
Ditto — Forces.
Ditto — Marines.
Bank of England.
South Sea Company.
Treasurer of Navy.
Mint.

Tax

Tax Office.
 Stamp Ditto.
 Hackney Coach Ditto.
 Privy Purse.
 Master of the Horse.
 Receiver General of Customs.
 Cashier Excise.
 Clerk of the Pipe.
 King's Remembrancer.
 Postmaster General.

No. X.

PROCEEDINGS on the Sixteenth Report of the Select Committee on Finance, appointed in the last Session of Parliament.

SECRETARIES OF STATE.

SIR,

I AM commanded, by the Lords Commissioners of His Majesty's Treasury, to desire you will represent to Lord Grenville, that the reports of the Select Committee on Finance in the last Session, will soon be under the consideration of Parliament, and that their Lordships are desirous of receiving his Lordship's sentiments on any matters contained in the sixteenth report, with respect to the office of Secretary of State.

I am, Sir,

Your most humble servant,

GEORGE ROSE.

Treasury Chambers,

11th Dec. 1797.

George Canning, Esq.

[A like letter to Mr. King, in the Office of the Duke of Portland, dated as above.]

SIR,

I AM commanded, by the Lords Commissioners of His Majesty's Treasury, to desire you will represent to Mr. Secretary Dundas, that the reports of the Select Committee on Finance in the last Session, will soon be under the consideration of Parliament, and that their Lordships are desirous of receiving his sentiments on any matters contained in the sixteenth report, with respect to the office of Secretary of State.

I am, Sir, &c.

Your most humble servant,

GEORGE ROSE.

Treasury Chambers,

11th Dec. 1797.

William Huskisson, Esq.

Parliament Street, 14th Dec. 1797.

SIR,

I HAVE received and laid before Mr. Secretary Dundas your letter of the 11th instant, expressing the desire of the Lords Commissioners of the Treasury to receive his sentiments on any matters contained in the sixteenth report of the Select Committee of Finance, with respect to the office of Secretary of State.

I am directed by Mr. Dundas to acquaint you, for their Lordships information, that having considered with the utmost attention the report above mentioned, and the duties allotted to his department in the distribution of official business, he is of opinion that no alteration whatever can for the present be made in the establishment of his office, without material injury to the public service.

With respect to any future arrangements, his sentiments can only be formed with propriety on a consideration of the circumstances, as they may appear to him, whenever such arrangements may be brought forward, and he therefore abstains from giving any opinion at present upon this point.

I am, Sir, &c.

W. HUSKISSON.

George Rose, Esq. &c. &c. &c.

No. XL.

PROCEEDINGS on the Seventeenth Report of the Select Committee on Finance, appointed in the last Session of Parliament.

ADMIRALTY.

SIR,

I AM commanded, by the Lords Commissioners of His Majesty's Treasury, to desire you will represent to the Lords Commissioners of the Admiralty, that the reports of the Select Committee on Finance, in the last Session, will soon be under the consideration of Parliament, and that our Lords are desirous of receiving their Lordships' sentiments on any matters contained in the seventeenth report, with respect to the office of Admiralty, and the several offices under their Lordships' department.

I am, Sir,

Your most obedient humble servant,
GEORGE ROSE.Treasury Chambers,
11th Dec. 1797.

Evan Nepean, Esq. &c. &c.

No. XII.

PROCEEDINGS on the Eighteenth Report of the Select Committee on Finance, appointed in the last Session of Parliament.

TRANSPORT OFFICE.

GENTLEMEN,

THE Lords Commissioners of His Majesty's Treasury observing, in an account in the appendix to the eighteenth report (G) of the Select Committee

mitter on Finance, in the last Session of Parliament, that a fee is taken by an officer in your department of £.1 1s. per £.1,000, on the amount of the balance due on a ship's final account; I am commanded by their Lordships to acquaint you, it appears to them to be unfit that any person entrusted in any degree with the examination of accounts or charges, should have an interest in the amount of the money to be paid by the public; and to direct you therefore to give immediate orders for the discontinuance of the receipt of the said fee. You will accordingly order the receipt thereof to be discontinued immediately.

I am, Gentlemen, &c.

GEORGE ROSE.

Treasury Chambers,
11th Oct. 1797.
Commissioners Transports.

SIR,

Transport Office, 2d January, 1798.

WE received your letter of the 12th October last, signifying the Directions of the Right Honourable the Lords Commissioners of His Majesty's Treasury, that the fee usually taken in this office, of £.1 1s. per £.1,000 on the amount of the balance due on a ship's final account, should be discontinued; and we request you to inform their Lordships, that orders were immediately given in consequence.

We are, Sir, &c.

RUP. GEORGE.

AMBROSE SERLE.

JOHN SCHANK.

WILL. A. OTWAY.

JOHN MARSH.

George Rose, Esq. &c. &c.

No. XIII.

PROCEEDINGS on the Nineteenth Report of the Select Committee on Finance, appointed in the last Session of Parliament.

SECRETARY AT WAR, &c.

GENTLEMEN,

THE contingent expenses in the West India Islands having repeatedly been a subject under the deliberation of his Majesty's Secretaries of State and the Lords Commissioners of his Majesty's Treasury; and the Select Committee of the House of Commons on Finance, in the last Session of Parliament, having recommended measures being taken for their being reduced within fixed limits if possible; I am commanded by their Lordships to direct you to have under your consideration how far the attainment of that object may be possible, as far as relates to fortifications and the transport of troops, the latter being victualled from this country.

At the same time that I make this communication to you, I have it in command from my Lords to acquaint you, that in consequence of the very great increase of expence for extraordinary charges incurred in the Leeward Islands, since Mr. Jones went out as Commissary General, which does not hitherto appear to their Lordships to be sufficiently accounted for by the

amount of the forces stationed there, they have judged it expedient to send out Mr. Jaffray to that station again as Commissary General, in order that an opportunity may be afforded as early as possible of investigating the conduct of Mr. Jones in the execution of his duty, especially with respect to the rates of exchange at which he has drawn, which appear to require particular explanation.

Previous to Mr. Jaffray going out, however, my Lords are desirous you should endeavour to concert with him, if it shall be found practicable, the means of reducing an expence, which, during the last year and the present, has been so enormous, and to settle such fixed instructions as shall appear to you to be most likely to be effectual for preventing the abuse of persons drawing bills in the West Indies deriving any benefit by profit on exchange.

I am, Gentlemen, &c.

GEORGE ROSE.

Treasury Chambers,

11th Nov. 1797.

Comptrollers of Army Accounts.

GENTLEMEN,

THE Select Committee of the House of Commons on Finance, in the last Session of Parliament, having called the attention of the House to the regulations and checks respecting the delivery of forage for non-effective horses, or paying money in lieu thereof, and for ascertaining the actual delivery of the medicines and surgeons instruments provided for the corps at home and abroad, and for general officers to the regiments or hospitals for which they were ordered, and to whom they are addressed, with a view to a more effectual prevention of abuses on these subjects, if any means can be devised for that purpose; I am commanded by the Lords Commissioners of His Majesty's Treasury to direct you to take the same under your consideration, and to acquaint me, for their Lordships information, whether you can suggest any further checks or regulations to prevent the delivery of forage for non-effective horses, or paying money in lieu thereof; and that you will report to my Lords what vouchers you think will be most proper to require, in order to ascertain the actual delivery of the medicines, surgeons instruments, &c. for the use of regiments and hospitals.

I am, Gentlemen, &c.

Treasury Chambers,

4th Nov. 1797.

Comptrollers of Army Accounts.

GEORGE ROSE.

SIR,

I AM commanded, by the Lords Commissioners of His Majesty's Treasury, to acquaint you, that the reports of the Select Committee of Finance in the last Session, will soon be under the consideration of Parliament, and their Lordships are desirous of receiving your sentiments on any matter contained in the nineteenth report, with respect to your office.

I am, Sir,

Your most obedient humble servant,

GEORGE ROSE.

Treasury Chambers,

11th Dec. 1797.

His Majesty's Secretary at War.

GENTLEMEN,

GENTLEMEN,

I AM commanded, by the Lords Commissioners of His Majesty's Treasury, to acquaint you, that the reports of the Select Committee of Finance, in the last Session, will soon be under the consideration of Parliament; and their Lordships are desirous of receiving your sentiments on any matter contained in the nineteenth report, with respect to your office.

I am, Gentlemen,

Your most obedient humble servant,

Treasury Chambers,
11th Dec. 1797.

GEORGE ROSE.

Paymaster General of His Majesty's Forces.

No. XIV.

PROCEEDINGS on the Twenty-first Report of the Select Committee on Finance, appointed in the last Session of Parliament.

ORDNANCE.

SIR,

I AM commanded, by the Lords Commissioners of His Majesty's Treasury, to desire you will represent to the Master General and principal Officers of the Board of Ordnance, that the reports of the Select Committee on Finance, in the last Session, will soon be under the consideration of Parliament; and that their Lordships are desirous of receiving the sentiments of the Board of Ordnance on any matters contained in the twenty-first report, with respect to their office.

I am, &c.

Treasury Chambers,
11th Dec. 1797.

GEORGE ROSE.

R. H. Crew, Esq.

No. XV.

No. XV.

PROCEEDINGS on the Twenty-second Report of the Select Committee on Finance, appointed in the last Session of Parliament.

EXCHEQUER.

GENTLEMEN,

THE statement made by you to the Select Committee on Finance, in the last Session of Parliament, respecting the inadequacy of the incomes of some of your clerks, and your want of further assistance, having been under the consideration of the Lords Commissioners of His Majesty's Treasury, I am commanded by their Lordships to desire you will acquaint me, for their information, what augmentation you are of opinion it may be proper to make to the salaries of such of your officers or clerks as you think stand in need thereof; and what additional number of persons you judge it necessary should be appointed, in order to forward the examination of the extraordinary accounts, in consequence of the present war, qualified, as you describe it necessary they should be; having in view that such appointments are to be only temporary.

I am, Gentlemen, &c.

GEORGE ROSE.

Treasury Chambers,
4th Nov. 1797.

Commissioners for Auditing the Public Accounts.

GENTLEMEN,

THE Select Committee of the House of Commons on Finance, in the last Session of Parliament, have suggested the propriety of suppressing the offices of the several principal auditors of the land revenue in England and Wales, and that the duty should be performed by their deputies: on considering the subject, however, the Lords Commissioners of His Majesty's Treasury conceive, that, both in point of economy, and with a view to a due performance of the service in question, it may be a more beneficial arrangement (instead of confirming the deputies for this separate employ) that the accounts now passed before the above-mentioned auditors should in future be audited by your Board, in the same manner as most of the other public accounts of the kingdom are; my Lords are therefore pleased to direct you to have a Bill prepared, to be submitted to the consideration of Parliament, for abolishing the offices of the Auditors of the Land Revenue for England and Wales accordingly, and providing that the duty now performed by them shall be executed by you.

The Bill to contain grants of annuities to the present possessors of the principal offices, with provisions to enable the Lords Commissioners of His Majesty's Treasury to grant compensation to the inferior officers and clerks.

I am at the same time directed to observe to you, that as the profits of the auditors, of the land revenue depend in a considerable degree on the fees
paid

paid by the Receivers General, and other persons who pass their accounts before them, the public will be at the expence of the compensations, from which individuals will derive advantage, unless care shall be taken to prevent that: their Lordships are therefore pleased to direct you to have provision made in the Bill, for the Receivers General, and others whose accounts will hereafter be passed before you; to reimburse the public the amount of the fees they now pay to the auditor, in such manner as you shall think most advisable.

In this Bill it may be proper to insert a clause, which you have suggested to the said Committee as necessary, authorizing your Board to administer oaths to accountants for attesting their accounts in the same manner as is now practised by the Barons of the Exchequer.

My Lords are pleased also to direct, that in consequence of another suggestion of your's to the said Committee, provision should be made in the said Bill for exonerating the Paymaster General from the duty of attesting his account upon oath, and directing that the Accountant General of the Pay Office, whose duty it is to make up the same, shall attest it upon oath, in the usual form of such attestations, but without relieving the Paymaster General in any respect from his present responsibility.

I am, Gentlemen, &c.

Treasury Chambers,

6th Nov. 1797.

Commissioners for Auditing the Public Accounts.

GEORGE ROSE.

SIR,

THE Commissioners for auditing the public accounts of the kingdom, having represented to the Select Committee on Finance, in the last Session of Parliament, that in consequence of the ancient process *on scire facias* from the Pipe Office, to recover balances from accountants on declared accounts, having much fallen into disuse, and being attended with great delay, it may be expedient that a summary process, to be settled by His Majesty's Law Officers, should be established by act of Parliament, in order to facilitate the recovery of such balances; as for want of such summary process, accountants with large balances in their hands are induced to resist the payment thereof, with very undue advantage to themselves, and with great detriment to the public: I am commanded, by the Lords Commissioners of His Majesty's Treasury, to desire you to submit the said representation of the Commissioners to His Majesty's Attorney and Solicitor General, for their opinion respecting what mode of summary process can be proposed to the consideration of Parliament, as best adapted to the purpose, or whether any objections occur to substituting such process instead of proceeding by *scire facias*.

I am, Sir, &c.

Treasury Chambers,

1st Nov. 1797.

Joseph White, Esq.

GEORGE ROSE.

SIR,

A REPRESENTATION was made by the Commissioners for auditing the public accounts to the Select Committee of the House of Commons on Finance, in the last Session of Parliament, that in case any public accountant shall choose to reside in Ireland, the said Board, as the law now stands, are not able to enforce obedience to their precepts in that kingdom; and the Commissioners

Commissioners having also submitted, that it may be expedient to recommend to the Lord Lieutenant and the Administration of Ireland to promote the passing an act of Parliament, authorizing His Majesty's Attorney General and the courts of justice there to proceed against public accountants resident in Ireland, who may refuse to account for public money in their hands, upon the special certificate of the Commissioners, above-mentioned, in like manner as may now be done in Scotland and the Colonies, by the nineteenth section of the act for better auditing the public accounts, ~~where~~ by accountants, who are wilful defaulters, will no longer be able to shelter themselves in any part of His Majesty's dominions: I am therefore commanded, by the Lords Commissioners of His Majesty's Treasury, to desire you will submit the said representation to the consideration of his Excellency the Lord Lieutenant accordingly.

I am, Sir, &c.

GEORGE ROSE.

Treasury Chambers,

1st Nov. 1797.

The Right Honourable Thomas Pelham.

Dublin Castle, 9th Nov. 1797.

SIR,

I HAVE received the honour of your letter of the 1st instant, recommending the passing of an act of Parliament in this kingdom, to authorize His Majesty's Attorney General, and the courts of justice here, to proceed against public accountants resident in Ireland, who may refuse to account for public money of Great Britain in their hands, upon the special certificate of the Commissioners for auditing public accounts there; and having consulted the Attorney General upon the matter, he is of opinion there can be no objection to the measure; and the proper steps will be taken in the next session of Parliament for the purpose.

The Lord Lieutenant has directed me to suggest the propriety of giving a similar power to the Attorney General and courts of justice in Great Britain, respecting accountants for the public money of this kingdom who may be resident there, upon certificates from the Commissioners of the Treasury of Ireland, or from the Commissioners of accounts in this kingdom; and I beg leave to recommend the measure to your attention.

I have the honour to be, Sir,

Your most obedient humble servant,

T. PELHAM.

George Rose, Esq. &c. &c. &c.

little is left for me to say in support of that statement; a late decision of the King's Bench has shewn that such statement was not vain, idle, or illusory. — I stated that houses had been burnt on loose presumptions of delinquency — I stated too, that in some instances torture had been applied, and that picketing in many instances had been resorted to, and that the unhappy victims of a misguided few, were sometimes half hanged, or otherwise ill-treated; such a statement as this it was impossible that I could have been induced to have made without clear and satisfactory testimony; it was a representation too strong—it was, if untrue, an accusation too serious to pass unnoticed—at the bar of the English House of Lords, I offered to substantiate this charge; I had the evidence prepared before I brought forward the accusation—before I made that statement I informed myself on the situation of my country; since my return I have further investigated the subject; and I now re-assert, more pointedly, if possible more strongly, that these cruel and sanguinary measures have frequently been resorted to. There is another topic, my Lords, which is a necessary preliminary to the immediate purpose of my address to you; it is another gross, artful, and cruel misrepresentation—a misrepresentation calculated to wound every feeling of my soul, and exhibit me in a point of view which my character has not, I hope, merited. Possibly, my Lords, this misrepresentation may have been occasioned by the strange incorrectness of the London newspapers—I hope I may ascribe it to any thing so venial as incorrectness of misconception.—What I allude to is my having been accused of charging the army of Ireland with all the cruelties, all the atrocities, all the barbarities which have taken place in this country. No, my Lords, never did I presume to charge the army with any acts of oppression; the pride of my life is being a soldier, and I love the character of one too well to stain it by imputations of inhumanity; from my earliest youth my pride was to be a soldier; with every rank, and with every department of the army have I been conversant; an attack therefore of such a nature could less become me than any of my countrymen; and to the army, my Lords, it would be the more galling, in as much as to receive a wound from a friend is more excruciating, more miserable, than to receive it from any other person. Truly, therefore, my Lords, it is natural that I should experience strong feelings of regret at this most cruel, and to me the most injurious misstatement; no, my Lords, my comrades of every rank have always been objects of my affection and solicitude, and without vaunting of any personal exertions of my own, I think I have a right to claim the merit of being almost the first to reward loyalty, and extend to my comrades in every rank, every comfort and every happiness within my power. But, my Lords, exclusive of the personal love and veneration which I have had for the brave defenders of my country; the very nature of the argument, and the very object I had in view, were sufficient to refute the calumny and blunt the edge of this cruel and mischievous misrepresentation. What, my Lords, could have been more absurd, what so truly an object of abhorrence, as at the time when I was arraigning the conduct of the British Cabinet, when I was endeavouring to expose its wicked and arbitrary system towards Ireland, that I should change the ground of attack, and that I should act so childish a part as to exonerate the Cabinet, and throw the charge on my brother soldiers? No, my Lords, it was against the Cabinet of England that my attack was solely directed; I accused it of having made the army the instrument of a cruel and arbitrary system of vengeance and oppression towards this country. Under Heaven, I cannot conceive a more cruel and afflictive situation for an officer than a command in one of those proclaimed and persecuted districts. When an officer is under the guidance of a magistrate acquainted with the law, and

called

of the Army, in the situation of the

called out to enforce it, his situation is easy; he is relieved from responsibility; but when he is vested with a discretionary power, his feeling are tremblingly alive to his military reputation; he shudders, lest his loyalty should be questioned, and high notions of discipline strongly seize on his mind, and regulate his conduct; you touch, by placing him in this situation, the worthiest feelings of his heart; you touch him on every principle which can animate the bosom of a soldier; you touch him on his zeal, his Honour, and his courage; sent into a part of a country with which possibly he is unacquainted, his difficulties are considerably augmented, he entertains all the prejudices of education and early habits, and from being told of the disaffection which pervades the kingdom, he is, of course, inclined to look with distrust and suspicion on the lower orders of the community: impressed with the idea of every man's plotting against the Government, timidity itself is construed into disaffection, and in the dejected and broken looks of a wretched peasantry he flatters himself with discovering the features of revolt and insurrection; under this impression it is easy to account for numberless mistakes and errors—his countenance assumes the appearance of anger, and his actions are marked with animosity; it is then that the separation between him and the people, which is commenced by the wicked acts of some pensioned informers, is completed, by mutual animosity; to this the estrangement of affection of the Irish officer from the Irish people alone is ascribable; thus it is that the wound which mildness and moderation might have cured and corrected, is fretted and gangrened by those foul and unworthy manœuvres. — With this view of the subject I am induced to call the attention of your Lordships to the situation of your country; and happy indeed shall I be, should I be able to impress your Lordships with the necessity of putting some kind of termination to those most cruel and distressing atrocities. The time, my Lords, is not yet lost for recovering the affections of your countrymen; can you hope that you can restore Ireland to peace by these acts of cruelty and oppression? Conciliation may be deferred—but every day that it is deferred increases the difficulty of suppressing the views of the discontented, and allaying the evils of insurrection and revolt; to disarm the Republican, you must concede to the Loyalist; far be it from me by any statements which I may make, or argument I may use, to occasion still stronger irritation. I conjure you to attempt to compromise with the discontented, and to abandon the constant recourse to military assistance; the interference of the army on these public occasions creates and inflames animosity; it suspends the wholesome and salutary influence of your laws—and exhibits you to the world as dependants for an existence on military authority; to England this system must prove ruinous and destructive; involved in a contest the most obstinate and severe, she requires every energy that this country could carry into the common cause. Instead of being the seat of war herself, had she the cordial co-operation of the united feelings of this country, the may mock effort which is made by her most resolute and implacable enemy:—Bold in her declarations, the French Republic aspires to stake her existence on that of our empire itself, and disclaims every attempt which may be made for a pacific accommodation. If, my Lords, these perpetual plots, these constant insurrections can only be quelled by the bayonet, I am strongly apprehensive that instead of the whole force of Great Britain and Ireland being directed against France, the whole must be directed to the subjugation of this country.

France, already formidable, great in military exertion, and having nearly accomplished all which in the commencement of the war she could have designed, requires no civil dissensions to make her present a formidable and terrific appearance? Why does she not listen to peace? Why

dismiss your Negotiator? Because she sees the distracted state of your country, and relies upon the dissensions which have been created here. What then, supposing your system to continue, must be the situation of the British Empire? How is she to be represented to posterity, struggling with a desperate antagonist? No, she must exhibit herself at a time when the whole energy of the nation was requisite, when all is uniting—torn by faction, broken down by dissension, a diminished power and dismembered empire—at the utmost, reduced to an humble and injured self-defence, exclusive of this national degradation, exclusive of this shame, the consequence of this humiliation, exclusive of the wound which the dignified feelings of this House must experience for the country's being reduced to so unworthy a state; what, should this dreadful system continue, must be the feelings, the individual feelings, of every man whom I now address; he returns to his estate, to contemplate, in the circle of his tenants and his neighbours the heart-breaking discontents which such a system must necessarily occasion. How can you bear, my Lords, to return to your homes, to look on your tenantry with diffidence and distrust, to cast suspicion on all you meet, and to have those feelings rushing on your mind, that by him you are considered as his worst and most implacable enemy? Every cast of the eyes of your peasantry in this situation you must regard with distrust; and you have imposed on you the hard necessity of contemplating, in the silent workings of his heart, the impression which he entertains of the injuries he experiences from those who should be the guardians of his comforts, and the protectors of his country. Need I expatiate on the miseries which must accompany such a situation; and, to men of liberal conception, need I be necessitated to point out the dangers and the evils which accompany this state of distrust, civil dissension, and animosity? This distressing situation calls to my recollection a beautiful apostrophe which may well be supposed in the mouth of a dejected countryman:—"If an open enemy had been the author of this, I could have borne with it; if a stranger, I might have repelled it; but since these injuries have fallen from my old companion and friend, I know not how to treat him." What person, my Lords, acquainted with the insecurity of such a state, but must this night be inclined to co-operate in my humble attempt for its alteration? The dissensions which these acts of outrage occasion, are not only deeply felt at home, but they may render the security of your country precarious and uncertain—it makes you vulnerable to your enemies; despair operates most powerfully on the human heart. If you shew no disposition to alleviate the sufferings of the people, danger may become awful indeed. Let us not be united in sentiment, and to France and the world we may bid defiance; be but united, and it signifies nothing if we had not a ship upon the sea; we may brave every attack; we would be certain of frustrating any attempt of the enemy; do but abandon your system of severity; your distrust of the people, and those horrid acts of outrage, and let France pour into either country her most formidable levy, and I will answer for it, my Lords in one fortnight, that many will not appear; nay, will not exist; in this country but in the character of PRISONERS. Your security is in your unanimity: the sums which you vote, and the levies which you raise, are useless unless you concede to the people—security will then be easy to all. My Lords, let it not be said, that concession would be ruin. You undervalue the generous character of your countrymen; they are not insensible to kindness, they are alive to acts of friendship, they can estimate the value and importance of a benefit; they will not, it is not in their nature, to requite friendship

friendship by ingratitude. In the heat of party, and in the disturbed and agitated state of the country, I fear that on both sides there have been infinite misapprehensions. You say that plots have existed---that conspiracies have been detected---that provocations have taken place in the country; granted; but have you got laws to repress this violence? Are they no. sufficiently forcible for this purpose? Do you complain of their wanting severity? If you do, why not appeal to the wisdom of Parliament for some better calculated to suppress those plots, to defeat those conspiracies, and to make the people amenable to authority. If there are delinquencies, let the delinquents be punished, but let them be punished by law; deny not the common rights of trial, fear them not from their homes, and make them the indiscriminate victims of ungovernable fury. The time to punish was proved; but sorry am I to think that punishment the most severe has been inflicted for offences the most vague. If sometimes excesses did take place, vigour might be used to repress them, but vigour is most formidable when exercised with most prudence. All Governments are indebted to their security, to firmness, justice, and magnanimity, rather than to cruelty, injustice, and mismanagement. I have abundance of proof to shew you, that bare imputations of disaffection have warranted the most arbitrary excess of power; to be suspected, was enough to make the poor peasantry of the country the subjects of Ministerial cruelty. How dreadful that state of society, when the liberty of the subject is made dependent on the whim and suspicion of a low, illiterate, and illiberal informer!

So far, my Lords, have I been general in my assertions, and general in my statement; allow me now to state to you what has fallen more immediately under my own observation;---The district round my house was, as I was assured, and as was generally understood, the year before last, not merely disaffected, but tainted with rebellion; it was painted to me just as far gone as any part of the kingdom;---when I returned there it was natural that I should have the best opportunity of tracing those disaffections to their origin, and discover the persons who were supposed to be instrumental in organizing any plots, or forming conspiracies; exclusive of the possibility of receiving information from my own peasantry, individual attachment gave me the best grounds for thinking that I had received the best possible information; finding that no such plots ever existed, I used every effort to discover who were the authors of these calumnies, who it was who dared to proclaim this part of the country in a state little short of insurrection and rebellion. I did discover, my Lords, the presumptuous wretch who passed this foul calumny on this part of your country;---I traced it to an informer, so base, so profligate, and so abandoned, that there was not a Justice of the Peace in that part of the country whom he could have set to have believed him on his oath, if his interest to the value of sixpence was concerned; and yet on the abandoned testimony of this detestable calumniator, the loyalty of the country was impeached, and the severe interdict of disaffection and its consequent penalties pronounced upon the unfortunate people. Finding this to be the real truth of the transaction, I applied to have a declaration signed among my neighbours, expressive of our attachment to the laws, our love to the constitution, and our determination to support both, as well as our Sovereign, with our lives and fortunes. I attended the meeting, at which those resolutions were signed. Possibly it may be said, that these resolutions were mere words, that the real sentiments of those who signed them were far different---to this I answer, it is not difficult to know when men are truly sincere; there is a simplicity and ingenuousness about it which

which never accompanies hypocrisy and guilt, and if ever those features of sincerity struck a man as being characteristic of the minds of the individuals, they struck me on that occasion. At that meeting I stated to the people the nature of republicanism, and likewise endeavoured to delineate the blessings of a limited monarchy. When I mentioned the inestimable virtues of my Sovereign, there was not a man who did not exhibit the most genuine and marked approbation.—When I spoke of the magnanimity of his son the Prince of Wales, and the uniform attachment he expressed for this kingdom—when I mentioned the strong claims which the conduct of this country at the time of the regency had laid on the Prince's affection, and his consequent regard for our prosperity, our peace, and our protection, there was not an eye which did not beam gratitude, nor a heart which did not demonstrate its loyalty in the fervency of its acclamation.—Since I have arrived in this country I have read the confessions of the infamers.

Bird, alias Smith,	Ferris,	M'Dormot,
Newell,	M'Cann,	Maguire,
Dutton,	Gollier,	Lynch,
O'Brien,	Cutack,	M'Guley,
Clarke,	Burke,	&c. &c. &c.

Confessions which were sufficient to wound every feeling of humanity, and sicken and disgust every feeling of the soul—these confessions were demonstrative of the false and aggravated statements which Government was in the habit of receiving—I shuddered to think that such wretches could find employment or protection under any Government; are not these things enough to urge Administration to abandon its system—to enable them to contemplate the errors they have fallen into, and by an immediate relinquishment of this intolerable severity to exhibit contrition at its having ever been introduced in this country? These are not times for crimination and recrimination, concessions ought not to be retarded; the generous confidence and manly warmth, the old nature of Ireland, ought to be revived.

My Lords, the Government of Ireland is unacquainted with the true character of Irishmen. I do declare most solemnly, that I never knew the peasantry of any country so sensible of kindness, so easily bound by friendship, with hearts so grateful, as the injured and insulted peasantry of this hard-fated country—I know not that I can strengthen my claim to your sympathy by any stronger arguments which I can urge on this occasion—all that I have asserted in another assembly, I here re-assert, if possible, in much stronger language.—My intention is to “move for an address to the Lord Lieutenant, expressive of our sorrow at the situation of the country—how inadequate the measures pursued have been to give peace and tranquillity to Ireland, and praying that mild and conciliatory measures may immediately be adopted.” In this motion I have scrupulously avoided mentioning any instances of impropriety, and I have not alluded to any persons who may be supposed to be instrumental in carrying rigorous measures improperly into execution: I have left the motion open, and, as far as possible, unobjectionable. There are two subjects, however, of great magnitude, which, as being leading features of contention, I must in this place mention, the first, as to the further extension of the privileges of a people to the Catholics—or this subject my opinion is clear—on ~~and~~ never entertained a doubt. Under the present circumstances of this country it is ungenerous and unjust that a great majority of the community should be stamped with any mark or badge of servitude, or compelled to bear the galling reflections of being denied any privileges enjoyed by

by their countrymen, since once the country was declared free and independent. Nothing could justify one part of the community presuming to enslave the greater portion of its inhabitants; and see nothing to impede relaxation but a vicious, a jealous, and a proud monopoly. After what has been granted, little indeed remains to be conceded; what remains it is important this House should grant. His mind must be strangely worked on, who could argue for the expediency of those restrictions which impeached the loyalty of a brave and magnanimous body of men, when an invading enemy threatened your shores, and rested her security on the dissension which your rigorous penal code, and your proud monopoly of the rights of your countrymen had created. The second subject, which is a subject of the greatest importance, was the question of a Parliamentary Reform; the sentiments which I have expressed in the British House of Parliament were so much distorted, misrepresented and misstated, that I feel it the more necessary to express myself intelligibly and satisfactorily on this topic. In that House I did assert that I was not a friend to the sentiment of a Parliamentary Reform; but though this was my opinion, yet it was not an opinion which I entertained, because I saw Parliamentary Reform necessarily occasioned those evils which some think proper to ascribe to it; my objection to Parliamentary Reform was on the ground of its not being practically expedient—and that I was apprehensive that it might be attended with greater inconveniencies in the experiment to carry it into execution, than advantages when carried into execution;—but this was always stated as my private and humble opinion, unless that the benefits which were to be the consequence of this measure were more clearly defined—I have, it is true, objected to that measure. Whatever might have been my doubts as to the advantage or disadvantage of reform in England, my doubts are certainly not so great with respect to this country; I have ever considered the question as completely constitutional, and ever must I reprobate that system which treats with intolerance men who are admirers of this improvement.

The noble Earl went on to say that his doubts, as to the propriety of reform, were very much removed by the course of events that had taken place, and by the present posture of the two countries. Corruption was come to a head; and he conceived that under good auspices reform might be carried to a beneficial length without alarm to the most moderate. After explaining his ideas on this topic as they applied to the two countries, at considerable length, he concluded with moving an address to the Lord Lieutenant for a system of conciliation in the way in which he had explained it in his speech. It was a representation forcibly but temperately drawn, and which very much engaged the attention of the House.

My doubts, with respect to the propriety of a reform in England are greatly removed, when I see and know that the public mind in this country is bent on that measure, when I know that a sentiment in its favour has seized the whole community, I venture not to question its expediency; the people of Ireland feel they are unrepresented; the Parliament of Ireland has declared reform a salutary expedient, it would be indecent to doubt or question its utility;—when this is the case, I think reform ought to be conceded. I am free to declare that the mischiefs which must be occasioned by not conceding, it may be much greater than any mischiefs which might follow the concession. I beg, therefore, to be understood as the friend to reform in Ireland, because reform is considered by the people as a great measure for restoring the peace and securing the happiness of the country; on this motion there were many points for argument, two great

great measures of this nature would sooth the mind, and suspend the apprehensions of the people—Parliament is now called to make some declaration; this was not a common occasion; the common duties of humanity should urge the House to an adoption of this much-wanted measure—a declaration of the opinion of the House to the Lord Lieutenant would warm the sentiments of all classes, would revive affection—the state of the country ought minutely to be weighed—if it was unpleasant to grant, it should be remembered that it might be dangerous to withhold—concession might be offered too late; the time is not yet passed, and the history of mankind and of the world shews the danger of abandoning any favourable opportunity which may offer for the accomplishment of any great object of national utility. His Lordship concluded his manly, temperate, and impressive speech with the following motion:

“That an humble address be presented to his Excellency the Lord Lieutenant, representing that as Parliament hath confided to his Excellency extraordinary powers for supporting the laws and for defeating any traiterous combinations which may exist in this kingdom, this House feels it, at the same time, a duty to recommend the adoption of such conciliatory measures as may allay the apprehensions and extinguish the discontents unhappily prevalent in this country.”

Lord *Glentworth* spoke at considerable length, in answer to the speech of the noble Earl (Moir), and when through a forcible and pathetic detail of the many barbarities which had been exercised against humanity and the laws of this country. He placed in a convincing and impressive opposition the provocations which licentiousness had held out to the Government, and the remarkable forbearance of that Government—for his part he saw but one thing to blame, which was, that strong and decisive measures had not been sooner resorted to here on the part of his Majesty's Ministers. The views of rebellion grew with indulgence, and in an active and early hostility against treason, was alone to be found the least dangerous, and most effectual means of suppressing it. His Lordship adverted to those mediums of treason, as he called them, the Union Scar, and the Press, and mentioned the most affecting instances wherein the national dispositions of the Irish people had been perverted to the base and coward purposes of assassination, and among these the recent, melancholy, and atrocious murder of Colonel St. George, and Jasper Uniacke, Esq. as feelingly recited by the noble Viscount, sensibly affected all who heard him. His Lordship argued this system to be allied with a determined design of overthrowing the Government and the Constitution of the country, and concluded by earnestly entreating the noble Earl, whose character and talents he highly respected, to withdraw his motion.

Earl *Cavan* made some short observations on the conduct and discipline of the army, and vindicated them from any aspersions which might be cast against them, from whatsoever quarter it should happen to come.

The Earl of *Clare* (the Lord Chancellor) said, My Lords, I am happy to have an opportunity of discussing this subject with the noble Lord in this assembly; I know of none on which there has been such a series of studied and perverting misrepresentation, and certainly very liberal contributions have been made to the common stock, under the sanction and authority of the noble Earl's name. If we are to believe reports apparently well authenticated, which have been nearly avowed this night on his part, the noble Earl has twice brought forward this subject in the British House of Lords. His first proposition to that grave assembly was, to address his Majesty to interpose his gracious and paternal interference to allay the dis-

contents

contents subsisting in the kingdom of Ireland, which threatened the dearest interests of the British empire. One principal source of Irish discontent he stated to be, that the Irish Catholics insisted on their right of sitting in both Houses of Parliament, from which they are precluded by the statute law of Ireland. Another cause of offence to the people, the noble Lord stated to be, that a Member of the Irish House of Commons had, uninvited and without any apparent necessity, started up in a debate and pronounced an absolute interdiction on the hopes and pretensions of Irish Catholics. That another Member in the other House of Parliament had equally uninvited and without necessity, started up in his place, and pronounced a sweeping condemnation on the north of Ireland. I will not take upon me to say what might have passed in the House of Commons, but I do, with perfect confidence, assure the noble Lord, that nothing has passed in this House since I have had the honour of sitting in it, which can give a shade of justice to an imputation thus cast on one of its Members. The noble Earl, if we are to credit written and verbal reports, for the authenticity of which I can in some sort vouch, has recently again brought forward the same subject in the same assembly, when without making a distinct proposition upon it, he certainly did in the acceptance of plain understandings pronounce a sweeping condemnation upon every department of the state, civil and military, in the kingdom of Ireland; when he did in the acceptance of plain understanding represent the executive government as acting wantonly on a system of insult and barbarity against an innocent and unoffending people, and the army of Ireland as active instruments in carrying it into rigorous and unrelenting execution. And let me here with the unfeigned respect which I feel for the name and character of a liberal and high minded gentleman, and a gallant soldier, put it to the noble Lord's good sense on cool and mature reflection, upon what principle he could find himself justified in passing by this House of Parliament, of which he is a Member, and making an appeal to the British House of Lords, on a subject solely and exclusively cognizable by the Parliament of Ireland; let me put it to his good sense, upon what principle he could feel himself justified in pressing the British House of Lords to address his Majesty, to interpose the influence of the Crown to allay discontents in Ireland, which he stated to arise from the operation and effect of Irish statutes, an address of the British House of Lords to his Majesty to interpose the influence of the Crown to procure a repeal of Irish statutes, of deep and momentous import to the constitution of Ireland. Let me put it to his good sense, if he has not been traduced, upon what principle he can justify a rash, an ill-advised assertion, that a Member of this House had, uninvited and without necessity started up in his place, and pronounced a sweeping condemnation on the north of Ireland, and having made the assertion, urge it as a ground for an address of the British House of Lords to his Majesty, to interpose his authority against the effects of this assumed parliamentary indiscretion in a peer of Ireland, or perhaps to prevent a repetition of it. And above all, upon what principle he could feel himself justified in a statement to the British House of Lords? that the executive government of Ireland had taught the soldiery to consider and to treat the natives of this country indiscriminately as rebels, and under such a supposition, to goad them with wanton and unexampled insult and barbarity. That the obsolete feudal badge of servitude, the curfew, was now revived and established in all its rigour in Ireland, and enforced by the soldiery with unfeeling cruelty and insult. That the infamous and detestable principles and proceedings of the inquisition, had been introduced into Ireland, where the unhappy natives were

put to the torture, to extort from them a confession of their own guilt or the guilt of others; where the unhappy natives were torn from their families and immured in prisons, ignorant of their accusers, and in a cruel state of uncertainty as to the period of their imprisonment, and the fate which awaited them. And that these complicated and unexampled excesses and extravagancies formed only a part of the system acted upon by the executive government of Ireland, and encouraged by the British Cabinet. And these virulent and distorted exaggerations have passed into general circulation through the medium of every disaffected and seditious public print in Great Britain and Ireland, under the proffered solemnity of the noble Lord's oath. It remains for me publicly and distinctly to refute the foul and injurious charges of tyranny, injustice and oppression upon the people of Ireland which hath been advanced against the British Cabinet and the British nation, and against the Government and Parliament of Ireland; and in so doing, I shall give the best answer to every thing which has fallen from the noble Lord this night.—It has long been the fashion of this country to drown the voice of truth and justice by noise and clamour and loud and confident assertion: and since the separation of America from the British empire, where the noble Lord well knows some British politicians had successfully played a game of embarrassment against Lord North's administration, they have been pleased to turn their attention to Ireland, as a theatre of political warfare, and to lend their best countenance and support to every motley faction, which has reared its head in this country, to disturb the public peace for the most selfish and mischievous purposes. When the noble Lord recommends conciliation as a remedy for the turbulent and distracted state of this country, with all respect for him, I must conclude, that his information flows from this polluted source. If conciliation be a pledge of national tranquillity and contentment; if it be a spell to allay popular ferment, there is not a nation in Europe in which it has had so fair a trial as in the kingdom of Ireland. For a period nearly of twenty years, a liberal and unvaried system of concession and conciliation has been pursued and acted upon by the British Government. Concession and conciliation have produced only a fresh stock of grievances, and the discontent of Ireland have kept pace with her prosperity: for I am bold to say, there is not a nation on the habitable globe, which has advanced in cultivation and commerce, in agriculture and in manufactures, with the same rapidity, in the same period. Her progress is now retarded, and it is a heart-breaking spectacle to every man who loves the country, to see it arrested only by the perverse and factious folly of the people, stimulated and encouraged by disappointed statesmen, British as well as Irish. When the noble Lord talks of conciliation as the certain means of tranquillizing the country, I call upon him to say what security he can give us for the accomplishment of his presage. Does he speak from experience? Evidently not; experience is against him.

When Lord North opened the trade of the British colonies and plantations to Ireland, Parliament declared itself fully gratified in terms of warm and affectionate satisfaction; and be it remembered that some of the loudest modern declaimers in the British Parliament for Irish emancipation, did then oppose this first relaxation in the system of commercial restrictions, imposed by British statutes upon Ireland, at the Revolution. In a few months, however, the voice of indignation and complaint was again heard in the Irish House of Commons, and although the encroachments on our constitution and its defects which were then complained of, were generally admitted to exist, a considerable majority in both Houses of Parliament thought

thought it unwise and impolitic to bring them forward in terms of anger and apparent hostility to Great Britain, more especially at a time when she laboured under the pressure of an extensive and calamitous war. An appeal was then for the first time preferred from the decision of Parliament to the armed Majesty of the People, and without any form or solemnity of trial, or deliberation, every gentleman of Ireland who hesitated to declare open war against the Parliament of Great Britain, was denounced as an enemy to his country, by that candid and august tribunal. However, on a change of administration in 1782, the British Government determined to accede to the demands of Ireland, and adopted a proceeding which, of all others, seemed to be the most flattering and conciliatory to the Parliament and people. The Duke of Portland, by the King's command, sent down a message to both House of Parliament, "That his Majesty was concerned to find that discontents and jealousies prevailed amongst his loving subjects of Ireland on matters of great weight and importance, and recommending that the same might be taken into serious consideration, in order to such final adjustment as might give mutual satisfaction to Great Britain and Ireland." If ever there was a proceeding devised, which might afford a rational hope of quieting the apprehensions and relieving the exigencies of a distressed country, it was this appeal to their own testimony, for a knowledge of their complaints, to desire them to come forward and to state the measure of their calamities, and the best expedient for the relief of them. And accordingly the measure of concession and conciliation, demanded of Great Britain, for the final adjustment of all political controversy between the two kingdoms, and for their mutual and lasting satisfaction, was framed on the declared sense of the Irish Opposition Cabinet; for on looking into the Journals it will be found, that the addresses in answer to his Majesty's most gracious and conciliatory message, were moved and voted by way of amendment, proposed by the leaders of the popular cause in both Houses of Parliament. And the noblemen and gentlemen who undertook the office of pointing out the grievances of Ireland, for a redress which was to lead to a final adjustment of all political divisions between this kingdom and Great Britain, confined them, "To the usurped claim of the British Parliament to make laws for Ireland: to the appellant jurisdiction exercised by the British House of Lords: to the practice of suppressing bills in the Council of Ireland, or of altering them any where, and to a perpetual mutiny law." In the progress of the same session, a communication was made to both Houses of Parliament, in a speech from the Throne by the Duke of Portland, "That the British Parliament had paid immediate attention to our presentation, and that his Majesty would give his Royal Assent to such bills as might be necessary to give them full effect." To this communication, an answer was made by an Address of both Houses of Parliament to his Majesty, and to the Duke of Portland. This address was also framed by the Cabinet of Opposition. The noblemen and gentlemen who had originally taken upon them the office of pointing out the constitutional grievances of Ireland, were the movers of it, and did with peculiar eloquence express the acknowledgments of the Parliament and people of Ireland, for the prompt and dignified attention which had been paid to their representations. In the address moved by them, and adopted by both Houses, they assured his Majesty, that "We were fully sensible of the magnanimity of his Majesty, and of the wisdom of his Parliament of Great Britain, in seconding his Majesty's most gracious intentions to this kingdom without any stipulation or condition whatsoever, *and that his Majesty might have the firmest reliance upon the faith, generosity and honour of the*

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Irish nation. That it is their undoubted interest, so it is their warmest wish, to promote and perpetuate the harmony, stability and glory of the British empire; and that the same spirit which induced them to assert their rights of share the freedom of Great Britain, will confirm them in a determination to share her fate also, standing and falling with the British nation. The Commons went a step beyond this House: they assured his Majesty, "*that from thenceforward no constitutional question could by possibility arise to interrupt the harmony so happily established between Great Britain and Ireland,*" and voted the enormous sum of fifty thousand pounds, out of the public purse, as a gratuity to the gentleman who had thus pledged himself and pledged Parliament to a final settlement of constitutional grievances between the two countries, a settlement so complete and satisfactory, as to render a revival of political or constitutional controversies utterly impossible. This address was echoed with unbounded applause from end to end of the kingdom, and the founders of the new Irish Constitution, were, for the short period of a few weeks, the idols of the people. Unfortunately, in that short interval, all harmony was at end. A gentleman of distinguished ability discovered, that the simple repeal of a declaratory law, did not contain a renunciation of the principle which had been declared; from whence he argued, that our new Constitution was a bubble, that the Irish nation had been duped by the British Minister and Parliament, and that the noblemen and gentlemen who had undertaken Irish emancipation (it was at this period I think the phrase got into use) acquiescing in the deception, must be considered as accomplices in the treachery of Great Britain. To this abstract proposition, and to the inference drawn from it, immediate and general assent was given, and a gentleman who had been raised to the pinnacle of popular favour and applause, for acknowledged public services, instantly became the subject of popular execration, and was loaded with foul and most unmerited calumny and abuse, for no other reason than his refusal to concur in committing the Parliament of this country in a quarrel with the British nation, upon this abstract rule of interpretation which was assumed to apply to all declaratory statutes, and to establish unequivocally the infincerity of Great Britain. It is not necessary now to examine the merits of the abstract legal question, but this I do not scruple to say, that nine hundred and ninety-nine men in one thousand, who so loudly condemned the act of Simple Repeal, were utterly incapable of forming an opinion on the subject; and that if from the same authority they had been told, that an act of renunciation was an insult to the nation, inasmuch as it applied an existing principle to be renounced, the men who so loudly condemned a simple repeal, would have been equally noisy against renunciation. But I should have hoped that this gross and glaring instance of popular levity would have taught the sober part of the community, and more especially the gentlemen who had well nigh fallen victims to it, the imminent hazard of inflaming the popular mind upon abstract political topics, and of making appeals to the majesty of the people, for the redress of speculative political grievances.

At the same period the majesty of the people was a second time affronted. We had in the warmth of our gratitude, and before the simple repeal bubble had been discovered, voted away almost every regiment of infantry on the Irish establishment, for the service of the empire, inasmuch that there were not soldiers left in the country for common garrison duty. The Duke of Portland, with no other possible view than to provide for the necessary service of the kingdom, on terms the most economical, raised four provincial regiments to be disbanded at the conclusion of the war. This was
continued

construed to be an insidious scheme of the British Government, to under-
 mine the popular institution of Volunteers. If so many regiments of the
 line had been raised, and the establishment had been incumbered with half-
 pay for the officers, I presume the majesty of the people would not have
 been offended; but a sensible regiment was new in Ireland, and without
 further enquiry or consideration, this necessary act of public duty, adopt-
 ed by the Duke of Portland upon a mere principle of public economy, was
 generally and loudly condemned as a fresh instance of British insincerity.
 It happened soon after the Duke of Portland had quitted the government of
 this kingdom, that the Judges of the Court of King's Bench at Westmin-
 ster, gave a judgment upon a record removed by writ of error brought there
 from the King's Bench of Ireland; and no man who knows the law will
 say, that they could have done otherwise. They found a record removed
 into their Court by authority of the King's writ, and finding it there, they
 could not avoid giving judgment upon it. This however raised a new fer-
 ment in Ireland, and this judicial act of Lord Mansfield and his brethren,
 was represented here as a direct violation of British faith, and an open and
 unequivocal attack upon the Irish constitution. Lord Buckingham was
 then Lord Lieutenant of Ireland, and although I was not then a servant of
 the Crown, having lived in early habits of friendship and intimacy with
 him, I can from my knowledge state, that with a firm conviction that
 Great Britain had always intended, fully, fairly, and unequivocally to
 renounce all legislative and judicial authority over this country, he felt the
 warmest anxiety to satisfy the people of Ireland that their suspicions were
 unfounded; that whether the act by which the British Parliament yielded
 their legislative claims, was an act of simple repeal, or an act of renuncia-
 tion, they might and ought to place full and firm confidence in the faith
 and honour of Great Britain as their best security; but it was stated to him
 that there were British statutes unrepealed made for the protection of trade,
 particularly to the East Indies, by which penalties were inflicted upon
 Irish subjects for breach of them committed in this country, and that suits
 for the recovery of these penalties were, by the same statutes, cognizable in
 the King's superior Courts at Westminster; and it was stated to him that
 the mere repeal of the declaratory act of the 6th Geo. I. would not be suf-
 ficient to bar any suit which might be so instituted, but that an act of re-
 nunciation would be construed by the English judges as a virtual repeal of
 all laws theretofore made which imported to bind Ireland. Lord Bucking-
 ham therefore plainly saw that such an act was necessary for the peace of
 both countries, and warmly recommended to the British Government to
 have it proposed in Parliament. Accordingly a Bill was introduced into
 the British House of Commons I believe by his brother, now Lord Gren-
 ville, which passed into a law without opposition, renouncing in terms the
 most unequivocal all legislative or judicial authority in Ireland, declaring
 the right of the people of Ireland to be bound only by laws enacted by their
 Parliament, and barring all writs of error or appeals from judgments or
 decrees in Ireland, to any British judicature; and I very much fear there
 are men in this country, who never have forgiven Lord Buckingham for the
 part which he took, in advising a measure so necessary to the peace of
 Great Britain and Ireland. It might reasonably have been expected that
 the people of Ireland, being gratified on the point of renunciation would
 have taken breath, and suspended at least their constitutional labours. But
 the moment the act of renunciation was obtained, a new grievance occurred,
 and it was discovered that in order to secure the new constitution of Ire-
 land, it was necessary to alter the frame of the representative body by which
 in

in effect it had been established; and the people being then self-armed and armed, after due deliberation, it was determined to elect a military convention to meet in the metropolis, as the surest, most efficacious, and constitutional organ, through which to convey the sense of the nation upon the subject of parliamentary reform. This convention assembled with considerable military pomp and parade at the city of Dublin, and having assumed to itself all the forms and functions of a House of Parliament, a bill for the reform of the representation of the people was regularly presented, read a first and second time, committed, reported and agreed to, and being engrossed, was sent at the point of the bayonet by two members of the convention, who were also members of the House of Commons, to be registered by that assembly. The House of Commons treated this insult with the indignant contempt which it merited, and the men who had been betrayed into such an act of contumacious folly awed by the rebuke which they received from the House of Commons, and by the firmness of Lord Northington, dispersed and returned to the places from whence they had come, many of them much ashamed of their rashness and intemperance. And be it also remembered, that one of the loudest modern declaimers in the British Parliament for Irish emancipation, was then a cabinet minister of Great Britain, and that he did *then*, with all the energy and ability which distinguish him, most emphatically state his opinion to Lord Northington, that the existence of legitimate government in Ireland, depended on the dispersion of this convention, and that her connection with the British Crown depended on preserving the frame of the Irish House of Commons as it then stood, unaltered and unimpaired. After the dispersion of this military convention, we had a short respite from popular ferment on the ground of constitutional grievances, but a new topic of discontent was started. It was discovered that the manufactures of Great Britain were imported into this country upon terms which gave them a preference in the Irish market,—a preference by the way which superior excellence alone can give them, and the remedy proposed for this grievance was, that we should commence a war of prohibitory duties, although it was notorious that the balance of trade between Great Britain and Ireland was very considerably in our favour, and that if the Parliament of Ireland had been so infatuated as to yield to popular outcry upon this subject, we had not the means of manufacturing woollen cloth in this country, nearly sufficient for the use of its inhabitants. The discussion of this question, however, led to the memorable treaty in 1785, if I may so call it, between the Parliaments of both countries for a final adjustment of the commercial intercourse between this country and Great Britain, and the British colonies and plantations, when a fair and liberal offer was made by Great Britain to open her markets, and to share her capital with this country; to give to Ireland a perpetual right of trading with her colonies and plantations upon the terms only of our adopting the laws which she enacts for regulating her navigation and trade with them. This offer was wisely rejected by the Irish House of Commons, under a silly deception put upon the people of Ireland, who were taught to believe, that the offer thus made to them was an insidious artifice of the British Minister to revive the legislative authority of the British Parliament, which had been so recently and unequivocally renounced, and under this gross and palpable deception were the solid interests of Great Britain and Ireland their mutual peace and harmony, and indissoluble connection sacrificed in the House of Commons of Ireland on the altar of British and Irish faction. If any thing could have opened the eyes of the nation, what passed within two sessions from 1785, ought to have exposed

posed the dupery practised upon them at that period. In the interval, Great Britain thought it necessary to extend the principle of her navigation acts to ships British and Irish built; and in 1787, the Parliament of Ireland did, without hesitation, adopt this new act of navigation, and declared all the former British acts of navigation to be of force in this country, a point which some persons had before that time affected to question. And there is no real friend of Ireland who can doubt that it is her interest to follow Great Britain in her code of Navigation-Laws? there is no real friend of Ireland who can doubt that it is her interest to follow Great Britain in her code of laws for regulating her trade with the British colonies and plantations, for on no other terms can we be permitted to trade with them. There must be one system of imperial policy throughout the British empire, and, if we are to remain a part of it, it is idle to suppose that the Parliament of Ireland can ever enact laws in opposition to any principle of imperial policy adopted by Great Britain.

Unhappily in 1789, a new occasion arose upon which the Parliament of this country thought fit to act upon the most critical imperial question which could have arisen, not only without regard to what had passed upon the same subject in Great Britain, but with direct and avowed hostility to the Parliament and Government of that country. I pass by the events of that disaffected period, and shall only say, that the intemperate, illegal, and precipitate conduct of the Irish House of Commons upon that critical and momentous occasion, has, in my opinion, in all its consequences, shaken to its foundations our boasted Constitution, and eminently contributed to bring this country into its present dangerous and alarming intuation. It is in the recollection of us all, that at the conclusion of the session of 1789, nothing was left untried by Lord Buckingham to restore peace, and to conciliate those who had acted with marked personal hostility to him, so far as he could go without a breach of public duty. If he was capable of harbouring private resentment for unprovoked personal injuries offered to him, he had the magnanimity to sacrifice his feelings to an anxious solicitude for the peace of Ireland; and I have often lamented that his efforts proved unsuccessful, and that he was compelled much against his will, to displace some old servants of the Crown who had opposed his government with warmth, and not only avowed their determination to persist in the same opposition, but declined, with sullen indignation, even to hold communication with him. And if the confidential servants of the Crown are to oppose his Majesty's Government, and to decline all communication with his Ministers, I am at a loss to know how it can exist. The first step which was taken in consequence of this political schism by gentlemen who had been the sole authors of it, was to found a political club for the reformation of alledged public abuses and political grievances. The first society of that class which I believe had existed in this country; certainly it is the first within my memory. This political institution was announced to the world by a manifesto signed and countersigned, in which the British Government was charged in direct terms with a deliberate and systematic conspiracy to subvert the liberties of Ireland. The basis of it was, a solemn resolution to preserve the constitution of the realm as settled by the Revolution in Great Britain and Ireland in 1688, and re-established in Ireland in 1782; and all persons of congenial sentiments and principles were invited to repair to the standard thus raised for the protection of the Constitution as settled by the Revolution of 1688. The public measures proposed by this society, in this their first manifesto, were, as I recollect, a Place Bill, a

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Pension Bill, and what was called a Responsibility Bill ; measures which I have seen resisted warmly by some members of this society, when I sat in the House of Commons.

In the succeeding sessions of Parliament, they were brought forward successively and repeatedly, and were successively and repeatedly rejected ; the Place Bill then proposed, was nearly a transcript of that which has since been adopted. The Pension Bill authorised an application of eighty thousand pounds yearly by the Crown to pensions, and would, if then adopted, have been the sole appropriation of the public revenue in Ireland ; and the Responsibility Bill, as it was called, would have constituted an executive directory, by erecting a commission, composed of five public officers, with full power to controul the Crown in the exercise of its vital functions. But, in discussing the merits of these Bills, the debates of the House of Commons were conducted with a degree of heat and acrimony utterly unbecoming the gravity and decorum of a legislative assembly. If we are to credit the newspaper reports of the debates which were carried on in that House at this period, they exhibit a series of coarse and acrimonious, and disgusting invective, suited only to the meridian of Billingsgate, and displayed to the people a picture of their representatives from their own pencil, little calculated to inspire them with confidence and respect. What was the consequence ? The people soon subscribed to the opinions which their representatives had promulgated, and gave them all full credit for the villainous charges which they had advanced against each other. They had been taught to believe, as often as the political views of contending parties were answered, by the suggestion that Great Britain was the natural rival and enemy of this country ; that she was insincere in all the concessions which had been made to Ireland, and waited only an opportunity to recal them ; that our connection with the British Crown was a source of national depression, and, finally, that a deliberate and systematic conspiracy had been formed by the British Government to subvert the liberties of the Irish nation. For the truth of these assertions let me refer every dispassionate man to the detail with which I have already troubled your Lordships, and for their wisdom, to subsequent events intimately connected with them ;--to a self-degraded House of Commons the people were not likely to appeal for relief, against a deliberate and systematic British conspiracy, formed to subvert their liberties. In a political club, composed of some of the leading members of that assembly, they could not be supposed very forward to put implicitly confidence ; and therefore, with minds inflamed against the British name and nation, they looked to political clubs of their own, not to procure a Place Bill or a Pension Bill, or a Responsibility Bill, but to cut off the source of all past and future aggressions, by subverting the monarchy, and separating this country for ever from Great Britain. The corner stones of this wise and salutary project were, " Catholic Emancipation and Parliamentary Reform ;" which, with a little foreign assistance, when the country should be ripe for it, it was hoped, would infallibly secure success.

Accordingly in the year 1791, a new political club was formed in the metropolis, connected at its institution with similar affiliated clubs at Belfast and Cork, which was also announced by a manifesto directed, not against British Ministers, but against the British nation, stating that what was felt as the real grievance of Ireland, and known to be its effectual remedy, " That Ireland had no national government, that she was ruled by Englishmen and the servants of Englishmen ; filled in commerce and politics with the narrow prejudices of their country." This is the grievance ;

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now mark the remedy.—After scouting the measure of place bill, responsibility bill and pension bill as utterly inadequate to the disease, they resolve that to cut it up by the root, the representation of the people must be reformed by a general extension of the elective franchise, and that a general union amongst ALL the people was essentially necessary to counteract the weight of British influence. To effect which union against Great Britain, an abolition of all religious distinctions in the state was indispensable.—An appeal followed to the volunteers of Ireland, beseeching them to resume their arms, and to establish in fact, as they had in theory restored, the independence of Ireland, and a general recommendation to form similar societies in every quarter of the kingdom, for the promotion of constitutional knowledge, and the dissemination of GENUINE whig principles. The object of this political association seems to be unequivocally avowed in this manifesto. However a full explanation of it from the author has been twice verified on oath before a secret committee of this House; in which it is distinctly avowed that this Irish union was originally projected by Mr. Tone, who is now a fugitive for treason, for the sole purpose of separating this kingdom from the British crown; and the same project is even more distinctly avowed in the paper quoted by the noble Baron who spoke second in the debate. Immediately a general outcry was raised of commiseration and love for the Catholics of Ireland; in which for the first time since the Reformation a great body of Protestant dissenters joined; and Catholic emancipation and Parliamentary reform went forth as the watch words of innovation, and treason has been pursued from that time, I am sorry to say with equal assiduity and success.

I have often lamented, that this nest of conspirators, calling themselves United Irishmen, was suffered to establish itself unmolested in the metropolis; and that the magistrates of the city of Dublin, so long delayed any interposition on their part to relieve the community from such a nuisance. If they had been dispersed on their first appearance, much public mischief would have been prevented. The first object of this Jacobin institution was, to detach the Catholics of Ireland from a committee composed of the principal noblemen and gentlemen of their communion, and to place them under the management of a Directory composed of men of a very different description. They saw that so long as the great body of Catholics were directed by men of rank and fortune and approved loyalty, their allegiance had remained unquestioned; and that under such influence, it would be a vain attempt to shake it. Your Lordships well recollect the gross and unpardonable ribaldry with which the public prints teemed against the late Lord Kenmare at the suit of this new Directory, for no other reason than that he had presumed to disapprove a tone of Jacobinism and disloyalty which they had assumed, and would have induced them to prefer their claims, in terms of duty and respect to the Legislature. Under this Directory a complete system of Democracy was established for the government of the Catholics of Ireland, and through the mediation of Mr. Tone and his Jacobin associates at Belfast, an alliance was negotiated with the dissenters of the northern province, who were given to understand that for concurrence in the system of religious emancipation, they might expect cordial and decisive support from the body of the Catholics in the grand project of Parliamentary reform, or in other words, of anarchy and democracy. To forward this project, the lower orders of the Catholics were stimulated to associate under the title of defenders, and were impressed with an opinion, that by robbing the houses of Protestants of arms and ammunition, they would contribute to the success of the Catholic cause, and finally be relieved

from the payment of tythes, taxes and rent. I will not say that this system of robbery and outrage which was struck out for an ignorant and deluded populace, was first devised by the Catholic directory. But your Lordships are in possession of full proof, that some of the unfortunate men who were capitally indicted as defenders in the summer 1792, were patronized and protected by them, and that considerable sums of money were paid out of their stock purse to defray the expence attending the trials of some persons who were then convicted in the county of Louth. For this I have only to refer to the official letter of their secretary, which was proved before the secret committee of this house in 1793, and it is stated at length in their report which has been just now read*. It is now fully ascertained that a close connexion and correspondence was at this time established between the Catholic directory and the Irish union; and in addition to this force of midnight robbery and outrage, orders were issued by the Jacobin clubs at Dublin and Belfast, to levy regiments of national guards in every part of the kingdom; their uniform French, and all their ensigns emblems of disaffection. This banditti was put down at the first moment of its appearance, and I cannot but lament, that every other rebellious combination has not been met with equal vigour and decision—If it had, much public mischief would have been prevented.—The noble Lord who is so forward to impute Irish disaffection to what he calls a system of coercion, acted upon by the Irish Government, and encouraged by the British Cabinet, will here please to recollect, that the system of midnight robbery and avowed rebellion was completely established before any one statute was enacted here, to which alone every profligate innovator in Great Britain and Ireland pretends to ascribe the present matured system of Irish treason: and he will also please to recollect, that the first of these statutes was enacted in consequence of a report of a Committee of this House which has been just now read; a Committee appointed on the motion of a noble Earl unconnected with Government, and without communication with Lord Westmoreland, who was then Lord Lieutenant of Ireland; and I lament that a severe accident has prevented that noble Earl from attending his duty on this night. It is stated distinctly in that report, that in 1792, and 1793, the project of levying a revolutionary army had been formed; that soldiers were forth-coming in abundance, but that officers were wanting; and I will tell that noble Lord, that this project was disclosed by evidence the most clear and satisfactory, by the testimony of gentlemen of rank and character, some of them at this moment high in military command in the King's service. The first act which passed in consequence of this report extended only to prohibit the importation of arms and ammunition, or the removal of either by coast or inland carriage, without license: and will the noble Lord venture, in this assembly, to condemn this wholesome and necessary measure of precaution by the Irish Legislature, when it appeared distinctly, that a traitorous conspiracy had been formed in the bosom of their country to levy an army, for the avowed purpose of overawing and subverting the constituted authorities of the state. In the same session, in consequence of the same report, another act passed for stopping the contraband trade of Parliament, for declaring the law with respect to popular conventions; for declaring the law, which I assert with confidence, prohibits and condemns all such meetings as unlawful assemblies, tending to disturb public tranquillity, and to raise well founded alarms in the minds of the King's peaceable subjects. One of these conventions had recently held a regular session in the metropolis, and I have seldom read more seditious and inflammatory libels than were daily circulated in the public prints appointed by authority to report their debates;

* See Appendix.

debates; and a mandate was actually issued, early in 1793 to elect a national convention held at Athlone, for the redress of national grievances civil and religious. The mode of election was formed by the Irish union on the model devised by their jacobin associates in France: primary assemblies were convened in every parish to chuse a certain number of electors, who were to meet at a central part in the county, to chuse their representatives. It is not a strained inference to suppose, that these primary assemblies were not attended by the most sober and industrious inhabitants of the parish, and that sobriety and industry had no very decided influence in the choice of electors; nor does it require any great political sagacity to see, that if an assembly so constituted had been suffered to establish itself, a prompt and general chain of intercourse and communication would at once have been formed between the turbulent and dissaffected members of the community in every part of the kingdom; and it would have rested with the discretion of an invisible power, thus possessed of the means of receiving and communicating prompt and accurate and general intelligence, to order a general or partial insurrection at pleasure. And yet these measures of Legislative precaution, thus forced upon Parliament by treasons avowed and meditated, have been represented as the original source of popular discontent, and have been condemned by the noble Lord in terms of bitterness and indignation, as a part of the system of coercion, as he is pleased to call it, wantonly inflicted by the Irish Government upon an innocent and unoffending people, and secretly encouraged by the British Cabinet. Would the noble Lord be understood to assert, that the Irish Parliament have betrayed their trust in stopping the supply of military stores to a revolutionary army, and repressing tumultuary and seditious assemblies, notoriously convened for promoting rebellion, and overthrowing the Constitution: or, would the noble Lord be understood to insinuate, that the Lords and Commons of Ireland have betrayed their trust, because they have not looked at the growth of sedition and treason tame and unmoved, in pure compliment to his incredulity? The Parliament of Ireland did their duty in framing new laws, to meet new and extraordinary exigencies; and if there be ground of censure on Parliament, it is that their vigour was not proportioned to the magnitude and extent of the evil. The treasonable associations which were the source of it, were suffered to augment, unite and marshal their disciples into one common league of mischief, inasmuch, that under their orders, nearly the whole of the northern district, and some counties contiguous to the metropolis, became a scene of general murder, and midnight depredation. Every man who was accused by the brotherhood of loyalty or peaceable demeanor was stripped of his arms—if he presumed to defend himself he was murdered. The few magistrates who ventured to execute the law, were marked for assassination, and many of them were actually murdered: Parliament therefore found it necessary to interpose again, and to frame a law, if possible, to meet this horrid state of barbarism and outrage, which had bid defiance to the ordinary course of justice; and in the session of 1796, the Insurrection Act was passed, which enables the Lord Lieutenant and Council, on a representation of the justices at a session of the peace, that any particular district is in a state of insurrection, by proclamation to declare it so to be; and the magistrates, in a proclaimed district, are enabled to exercise strong and summary powers for suppressing tumult and outrage, and preserving the peace. Amongst others, they are authorized to order all persons within the proclaimed district to remain in their houses, and to put out their lights after a certain hour of the night. This the noble Lord has been pleased to represent as a revival of the obsolete

feudal badge of servitude, the curfew, and a rigorous execution of it throughout the kingdom of Ireland. The first application to the Lord Lieutenant and Council for carrying this act into execution, was made by the magistrates of the county of Armagh, where a religious feud had broken out, and was attended with lamentable excesses, a feud which was revived by the wicked machinations of the Irish brotherhood, and with unblushing effrontery represented by them, as a Government persecution instituted against the northern Catholics. I will state the short history of this religious quarrel, and the noble Lord will see the grievous indiscretion into which he has been betrayed upon this head of his accusation against the government. Many years since the Protestants, in a mountainous district of the county of Armagh, associated under the appellation of Peep of Day Boys to disarm their Catholic neighbours, who associated for their common defence under the title of defenders. This feud however was soon composed, and for years there was not any revival of it; but when the general system of robbing Protestants of their arms was established by the Irish union, and the lower order of the Catholics assuming their old appellations of defenders, undertook this service, the Protestants in the county of Armagh associated for their common defence under the title of Orangemen, and feeling in the progress of the contest, that they were an overmatch for their adversaries, they did commit many grievous excesses, which I lament as deeply as the noble Lord. In the origin of the contest, many years since, there is no doubt the northern Protestants were the aggressors, but the feud was notoriously revived by the modern banditti of defenders, who in their turn attacked the orange-men, and would have disarmed them. Lord Camden made every possible exertion to restore peace and to punish those who had violated the law without distinction. He sent down Colonel Cradock to take the military force in that district under his command, with positive instructions to co-operate with the civil power in suppressing tumult, and in restoring peace and good order; and so sensible were the gentlemen of the county of Armagh of their obligations to his Excellency, that at a full meeting of the magistrates they returned their thanks unanimously for his extraordinary exertions to maintain the peace of that district. At the ensuing assizes, the Attorney General was sent down with instructions to prosecute indiscriminately every person who stood charged with acts of outrage and disturbance of the public peace, and no man can doubt his impartial discharge of his duty. But the exertions of the executive government were baffled by the local factions of that district, a general election was at hand, and gentlemen who were candidates for popular favour declined to interpose between the contending parties, lest they might impair their election interests. Under the same pernicious influence, the Magistrates of the county were ranged under the banners of orange-men or defenders, just as it best suited their election politics, inasmuch that if I could have found persons in that country who would have done their duty, I would have issued an entire new commission of the peace. This is the plain history of the religious feud between the Protestants and the Papists of the county of Armagh; a feud which the noble Lord had charged upon the Irish Government as a part of the system adopted for the persecution of Irish Catholics, and secretly encouraged by the British Cabinet,—a persecution to which, by his account, ninety families had fallen victims on his Lordship's estate.

Let me now state the nature of that treasonable combination which has been formed, and which the noble Lord proposes to dissolve by a repeal of the test laws and the act of supremacy; a combination the most dangerous and

and singular which is to be found in the annals of the civilized world. The subordinate societies consist of thirty members only; when their numbers exceed thirty, the excess is told off, and a new society is founded, with instructions to make proselytes. And in like manner, whenever their numbers exceed thirty, the excess becomes the foundation of another club; these societies elect delegates from each, who form committees of an higher order, which are called Baronial, and have the management and superintendence of all the subordinate clubs or societies in each Barony; the Baronial committees in like manner elect delegates in each county, who by the name of county committees, govern and direct the Baronials. The county committees in like manner elect delegates, who form a superintending provincial committee, for the government and direction of the several county committees, in each of the four provinces, as these provincial directories appoint the general elective, whose station is in the metropolis, every member is bound by solemn and mystic oaths, one of which we know to be, an oath of secrecy; another, never to give evidence in any court of justice against a brother, let his crime be what it may; and a third an oath of fidelity to the French Republic. The resources of the union are the seduction of the lower orders of the people, under the specious pretext of freedom and equality, and every artifice which cunning and profligacy can suggest, has been practised to detach them from the established Government and Constitution.

The press has been used with signal success as an engine of rebellion: sedition and treason have been circulated with unceasing industry, in newspapers and pamphlets, and hand-bills and speeches, and republican songs and political manifestos. Robbery, assassination, and massacre are the efficient powers of the union, and are executed with prompt and unerring rigour by the order of every member of the executive in their several departments. The communication of their orders is so managed, as to render detection almost impossible. Each society has its secretary from the general executive, down to the lower subordinate clubs, the members of which are generally used as the agents of the union in all acts of outrage; and every order is communicated by the secretary of the superior committee to the secretary of that committee or society, which is next in immediate subordination to it: no subordinate committee knows of whom its next superior is composed; the accredited secretary vouches the order, from him it is received implicitly, and is communicated in like manner, 'till it reaches every member of the union to whom it is addressed. The order is generally verbal, but if it be reduced to writing, the moment the person who is to receive and communicate it is fully intrusted, the paper is destroyed. Here then is a complete revolutionary government organized against the laws and established constitution: and let me ask the noble Lord, whether such a combination is to be met or counteracted, much less dissolved by the slow and technical forms of a regular government; an invisible power of infinite subtlety and extent, which has no fixed or permanent station, which acts by the ungoverned fury of a desperate and savage race, and scatters universal delolation and dismay, at its sovereign will and pleasure. Such was the influence of this system of terror, that several well disposed persons were induced from mere apprehensions for their personal security to join the union, and some of them have, I fear, become reconciled by habit to this general league of mischief; under the same influence witnesses were deterred from coming forward to give testimony for the Crown, and every jurymen who should dare to join in a verdict of conviction was threatened with assassination. I have read a circular printed hand-bill

hand-bill which was publicly distributed in the disturbed districts in the course of the last summer, threatening every man who shall dare to execute the laws against a member of the brotherhood with inevitable destruction, and in some counties this menace had its full effect. Has the noble Lord heard of the numberless murders which have been perpetrated by the orders of the Irish union, for the crime of putting the laws of the country into a course of execution? Has he heard of the murder of Mr. Butler, a clergyman and a magistrate? Has he heard of the murder of Mr. Knipe, a clergyman and a magistrate? Has he heard of the murder of Mr. Hamilton, a clergyman and a magistrate, and the circumstances of horror which attended it? This unhappy gentleman who had been a Fellow of Trinity College, and had retired to a college benefice in the county of Donegall, a man of exemplary piety and learning, had been guilty of the heinous crime of inculcating habits of religion and morality and industry and due subordination in a wild and remote district; he had also been guilty of exertion as a magistrate to stop the progress of treason, and was accordingly denounced by the brotherhood. He had, as every other gentleman in the same predicament was obliged to do, converted his dwelling-house into a fortress, which was protected by a military guard; he had gone to Derry, but hearing of a disturbance in his neighbourhood, he was fatally prepared to return and quiet it, intending to take shelter from his enemies before the return of the night. In this, however, he was prevented by a storm, which made it impossible for him to repass a lake, on the edge of which his dwelling stood, and he went to the house of a friend Mr. Waller, who had been also a fellow of Trinity College, and who to his misfortune received him. Whilst this gentleman and his wife and children were quietly sitting with their guest by the fire-side, a volley of musquetry was discharged into his house, which instantly killed Mrs. Waller, and this was the first notice of the attack. The savages who surrounded the house cried out for Mr. Hamilton, and threatened to burn it unless he was delivered into their hands; when this unfortunate gentleman was dragged from his hiding place by the servants of his host, delivered into the hands of his enemies, and butchered by them with aggravated circumstances of barbarity too shocking to relate; his widow and helpless children have a pension from the Crown, or they must have perished for want. Has the noble Lord heard of the murder of Mr. Cummins, whose crime was, that he had presumed to enrol his name in a corps of yeomanry, under the command of his landlord, the Earl of Londonderry? Has he heard of the attempt to assassinate Mr. Johnston, a magistrate in the populous town of Lisburn? Has he heard of the recent murder of Colonel St. George, and of his host Mr. Uniacke? Has he heard of the recent murder of two dragoons who had discovered to their officers an attempt to seduce them? In a word, let me ask the noble Lord, whether he has heard of the numberless and atrocious deeds of massacre and assassination, which form a part of the system acted upon by the Irish brotherhood, and encouraged by the privileged orders of innovation? I hold the dark and bloody catalogue! but will not proclaim to the civilized world the state of cannibal barbarism to which my unhappy country has been brought back by these pestilent and cowardly traitors. These are the men of sentiment whom the noble Lord is anxious to conciliate; these are the injured innocents, whose cause he has so often and so pathetically pleaded; the injured innocents who deal in midnight robbery, conflagration, and murder; and scatter terror and desolation over the face of his devoted country. The noble Lord may contemplate this scene of horror, with coolness from another kingdom,

Kingdom, but he will not be surprised that the gentlemen of Ireland, whose existence is at stake, do not view it with the same indifference. I know the noble Lord has declared his opinion that assassination forms no part of the system which is acted upon by the Irish brotherhood, and encouraged by the privileged orders of innovation. I know that he has declared his opinion that the numberless murders which have been committed in Ireland since the institution of the brotherhood, are but so many instances of private and individual spleen. Nay more, I know the noble Lord has broadly insinuated an opinion, that a periodical paper published in the metropolis, which recommends assassination, and points out individuals for massacre, is printed and published by the connivance of the Irish government, and forms a part of the system acted upon here and encouraged by the British Cabinet. If the noble Lord continues to hold that opinion, I will for the present leave him in the undisturbed possession of it, and shall only recommend to him to peruse attentively printed reports of the trial of twelve men convicted of a conspiracy to murder a soldier in the brigade of artillery, who had ventured to reveal to his officers an attempt made to seduce him, and of the trial of some domestics of Lord Carhampton, who were convicted of a conspiracy to murder him. If the noble Lord doubts the authenticity of these reports, I beg to refer him to the judges who presided at the trials. When public justice was thus subverted; when the laws were openly insulted and beaten down; when every gentleman who had courage to remain in his country was marked for assassination, and had no protection under his own roof but from a military guard; when a plan was actually formed, and nearly ripe for execution, to disarm and cut off the soldiery thus dispersed in small bodies for the protection of individuals; when a fierce and savage foreign enemy hung upon the Irish coast, what alternative remained for the Executive Government, but to surrender at discretion to a horde of traitorous barbarians, or to use the force entrusted to it for self-defence and self-preservation? And what would have been the folly and debility of the Government; which could have hesitated to assert itself with vigour and decision at such a crisis? Lord Camden did not hesitate, but, as became him, issued an order on the 3d of March, to disarm the rebels in the northern district: and if he had not issued the order, I do not scruple to say, that he would have betrayed his trust. In giving the order, he is supported by an address nearly unanimous of both Houses of Parliament, and I might rest his justification on that address; but as the noble Lord has roundly asserted in another place, that the order issued by Lord Camden for disarming the northern rebels is given up to be illegal, I now meet him on the point, and am ready to maintain that the order was, not only strictly legal under the circumstances in which it was issued; but that Lord Camden, if he had withheld it, would have been deeply responsible for the mischiefs which must have arisen from his omission. The constitution of these kingdoms must be strangely defective indeed, if it has not in it a principle of self-preservation; I very well know that it has no such defect, and therefore, when the ordinary course of the municipal law, and the utmost exertions of civil magistrates prove ineffectual for the protection of the Constitution, and for the safety and protection of his Majesty's peaceable and loyal subjects, it is the bounden duty of the Executive Government to call in the aid of the military power, for the suppression of treason and rebellion, and for the safety and maintenance of the Constitution. It was upon this principle that an order was issued in 1779, to the military force of England to act, when the city of London was attacked by a fanatical banditti, who had well
 night

nigh made themselves masters of it. That order probably saved the British empire; and I have no doubt that the order issued here for disarming the northern rebels, was essential for the salvation of the kingdom of Ireland. The Minister who issued such an order, is deeply responsible for the act, if he does it wantonly and on light grounds, he is highly criminal; but if the occasion demands such an exertion of authority for the preservation of the state, the Minister who with-holds it is responsible for all the evil which may arise from such an act of timidity:—of his responsibility Parliament is to judge:—the Minister who issues such an order wantonly, or who with-holds it improperly, is subject to impeachment; but the approbation of both Houses of Parliament is, by the Constitution of these kingdoms, his full justification either for issuing or withholding the order. And therefore, I presume, when the noble Lord condemned the order issued by Lord Camden for disarming the northern rebels as avowedly illegal, he was not apprized that it received the full, and nearly unanimous approbation of both Houses of Parliament: and, I must say, that this is, I believe, the first instance which has occurred in the annals of the British empire, in which the King's Minister has been called to make his defence for suppressing a rebellion; for issuing an order, when the kingdom was threatened with invasion, to seize arms in the hands of the traitors, who waited only to join the invaders; arms in which they had no right but by robbery and treason, which they used in the interval, to terrify the weak into an union with them; and to murder every man who had virtue and constancy to adhere to his allegiance. The noble Lord has been pleased on this night to disclaim any charge of misconduct by the army in executing this order; but in exculpating his brother soldiers he redoubles his charge against the Irish Government, and imputes all the assumed misconduct which he stated in another place, to the instructions given by Lord Camden to the general officer who commands in that district. For the present, I pass by the singular apology which he has made for his brother officers, and put it to the noble Lord, why he has ventured to make such a random charge against the Executive Government, when he might have had precise information on the subject, by moving an address to the Lord Lieutenant, to desire that he would be pleased to order a copy of these instructions to be laid on the table. I have a copy of them in my hand, and when the noble Lord hears what they are, he will judge whether the charges which he has hazarded against Lord Camden, have a colour of justice.—[For Instructions, see Appendix.]

In obedience to these orders, General Leake did proceed to disarm the rebels in the northern district, and executed this service with all the moderation, ability and discretion, which have always marked his character as a gentleman and an officer; and in executing this service, he did, amongst others, disarm the rebels of the noble Lord's town of Ballinabrinch, which, I am sorry to say, has been for some years a main-citadel of treason. In proportion to the size, it may vie in treason with the town of Belfast. The noble Lord is of a different opinion, and has very fairly assigned his reasons: he says, that he explained to the tenants in the town and its vicinity the horrors of Republicanism, the many advantages of the Government and Constitution under which they live; and above all, that he explained to them the splendid virtues of the Heir Apparent of the crown; that they all made to him the most unbounded professions of loyalty, in which however he would not have put implicit confidence, if he had not observed the countenance of every man to whom he had addressed himself, beam with joy and triumphant affection, when he mentioned the name and splendid virtues of his Royal Highness the Prince of Wales. Giving the noble
Lord

Lord, full credit as a physiognomist, I must conclude, if he will excuse me for a little professional pedantry, that the loyalty of his town of Ballinahinch is *abeyance*, during the life of his present Majesty. And, as the noble Lord had very fairly stated the grounds of his opinion, I will as frankly state the grounds of mine; the first, let me refer the noble Lord to the War Office, where he will find minutes of the General Court Martial, which tried and condemned several soldiers of a regiment of militia, four of whom were shot, and he will there find, that these unhappy men were seduced into a conspiracy by the people of his town of Ballinahinch, to betray to the rebels of Belfast, the military posts which it was their duty to defend, and that they were also seduced to accept of military commissions, and military rank in the revolutionary army of Belfast and Ballinahinch, which was then organized, and waited only the opportunity to come forth in battle array. Let me refer the noble Lord to General Leake, for another proof of loyalty in the town of Ballinahinch; when he summoned the inhabitants to deliver up their arms, they refused to obey him, but on being threatened with severity if they persisted in this refusal; they did deliver up their arms, and amongst other weapons, no inconsiderable number of pikes—are pikes constitutional arguments for Parliamentary reform? Are pikes emblems of loyalty? Is the seduction of the King's troops a symptom of loyalty? And are these the dutiful and affectionate offerings of the noble Lord's tenants and dependents, to the rising virtues of the Heir Apparent of the crown? Does the noble Lord forget that his domestics were tainted with the general contagion? That his gardener and groom, in the presence of Mr. Hamilton, a magistrate, the noble Lord's manager and agent, acknowledged themselves to be members of the union, and acknowledged that pikes and pike-shafts had been concealed in his timber-yard; and on searching for these, Mr. Hamilton did frankly confess his opinion, that they had been removed but the night before General Leake's arrival in the village. The noble Lord will not, I hope, suppose me to insinuate that this concealment was made with his knowledge, or countenanced by him. The most natural place for concealing pikes and pike-shafts, was the house and its appendages of a nobleman in his absence, whose servants and dependents had been seduced into a traitorous conspiracy against the state. His name and rank were very naturally supposed to cast a protection around the place of his occasional residence, and to baffle all suspicion that it was become a sanctuary of rebellion. The noble Lord stated, that the imputation of disloyalty on his town of Ballinahinch, rested only on the evidence of a man of the name of Daniel Morgan, whom he represents to have been of infamous character; but the noble Lord forgot to mention the fate of Morgan. That Daniel Morgan did give an information before one of the Judges of the Court of King's Bench, of treasons committed, and treasons meditated, by many of the inhabitants of Ballinahinch, is most true; it is equally true, that subsequent events have very fully verified every article of his information, and that he was murdered in consequence of the discoveries which he had presumed to make. This unhappy man, after he had sworn his information, went to the town of Downpatrick, and was there protected for some time by a military guard, and having ventured to go into the country at the distance of some miles, on a visit to his wife, who had taken refuge at her father's house, he was murdered there, by a band of ruffians who came on horseback upon this mission; and it was distinctly ascertained, that in the night when this murder was committed, a number of persons had sallied from Ballinahinch on horseback; so that it is at the least highly probable, that the assassins ordered up on this service, were selected from the loyalists of

that peaceable town. Within the last two months, under pretence of celebrating the noble Lord's birth-day, the centinels on duty there were made drunk, and this opportunity was taken to rob the King's stores of some hundreds of ball cartridges: such is the state of the noble Lord's town of Ballinahinch, which he has been taught to believe to be a model of sentimental and enthusiastical loyalty; and if he has been so grossly duped and misled in the opinions which he has imbibed of his own immediate tenants and dependents, what must be the extent of his dupery with respect to the kingdom at large?

The noble Lord has thought good on this night to retract the charges originally advanced by him against the kingdom of Ireland, and to declare that the excesses and extravagancies of which he complained, were committed under the direct and immediate orders of the Executive Government. The particular instances of military outrage adduced by the noble Lord were—"The destruction of the printing press of a newspaper, called the Northern Star, at Belfast.—The story of a child in convulsions, whose nurse was ordered to extinguish her lights.—The picketing one blacksmith, and half-strangling another." As to the first of these charges, in the terms in which it was originally advanced by the noble Lord, an indifferent and uninformed hearer would have imagined, that a regiment headed by its officer had at noon day marched with drums beating and colours flying, under the eye of a general officer at head-quarters, to demolish the house and the printing-press of a news printer, who had made himself obnoxious to the Executive Government. But what is the fact, of which the noble Lord certainly might have been fully and distinctly apprized? A regiment of militia which I am well informed, until it was cantoned at Belfast and Ballinahinch, was considered as one of the best behaved and best disciplined regiments in the service, had been corrupted by the traitors in both quarters; several of the soldiers had been capitally convicted by the sentence of a general court-martial, and four of them had been shot, upon clear evidence that they had yielded to the seduction practised upon them. The regiment to retrieve its character, subscribed to a fund for discovering and punishing any new attempt to seduce the soldiery, and made a declaration of determined loyalty to their King and his Government. A body of the soldiers attended by some non-commissioned officers not on duty, went to the printer's office to desire that this declaration of loyalty might be printed in his newspaper, offering to pay for it: he refused to receive their advertisement, and accompanied his refusal with some taunting reflections on the soldiers, who did at the instant, goaded with the recent execution of their companions, which they attributed, perhaps, with some degree of reason, to the poison diffused by the Northern Star, and with the taunting refusal of the printer to receive the declaration which they would have published, proceed to acts of violence against him; and did very nearly destroy his types and printing press; Colonel Leslie, who commanded the regiment, almost immediately interposed, brought off his men, and shut them up in their barracks; however, whilst he was thus engaged, another party composed principally of yeomanry, who were not in uniform, again attacked the printer's house, and completed the destruction of his types and printing press. Let me ask the noble Lord, whether he will venture gravely to assert in this assembly, that he believes this outrage upon military discipline and the municipal law, to have been contrived and committed under the immediate direction of Lord Camden; and if he will venture to make the assertion, let me ask him whether I am to understand his apology for General Lake, and the officers under his command to be, that they have tamely suffered the

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King's representative to pass by them; and to issue secret orders to the soldiery under his command, to go forth as a mob, to the utter subversion of military discipline. Am I to understand his apology for his brother officers to be, that they hold their military situations under a Government which has maintained a secret correspondence and communication with the soldiery under their command, and has stimulated them to acts of outrage, which the noble Lord did distinctly in his first statement upon this subject, insinuate as scandalous and disgraceful to the military character in Ireland? If this be the noble Lord's apology for General Lake, and for the officers in command in his district, in pure respect for them, I beg to deprecate it; and in pure respect for these deserving officers, I beg of the noble Lord to abide by his first charge against them however ill founded; the second instance of military excess and extravagance, is the rigorous enforcement of that obsolete badge of servitude the curfew, "The story of the Nurse and Child;" I have taken some pains to come to the truth of this story, and the result has been, that I find a light has been extinguished by order of the officer commanding a patrol in the neighbourhood of Downpatrick, at two different times, and in two different houses; both, however, situated in a proclaimed district; in one of these houses a child did lay in convulsions, he suffered its parents to keep their lights burning, and early on the next day returned to them for the purpose of affording medical assistance to the infant. The other instance of the enforcement of the Curfew, happened at the house of a man of the name of Carson, whose lights were burning after eleven o'clock; on being called to by the patrol to extinguish them, and not complying immediately, a soldier broke a pane of glass in one of his windows; and so far was Carson from complaining of the injury, that he went the next day to Colonel Bainbridge, who commanded at Downpatrick, and apologized to him for not having asked permission to keep his lights burning to so late an hour, which had never been denied when he applied for it; and it is a fact which I cannot avoid stating, that within the last week, Mr. George Crozier, the noble Lord's land steward, and solicitor at law, did press this same Mr. Carson to furnish him with the particulars which had attended this grievous enforcement of the curfew; that Carson told him, he had not any ground of complaint, to which Mr. Crozier replied, that unless he would furnish him with the detail of this military extravagance, he should be dragged to the bar of the House of Lords, and examined to it on his oath. So much for the story of the nurse and child—and now for the story of the half-strangled and picketed blacksmith. An information had been made on oath before Mr. Maxwell a magistrate, that a blacksmith of the name of Kirke or Shaw, had been employed in making pike-heads, which he had manufactured in great numbers for the rebels in or about Downpatrick; accordingly Mr. Maxwell went out with a flank company under the command of a field officer, to search for these pike-heads; Mr. Maxwell apprehended the blacksmith, who denied positively that he had ever manufactured a single pike-head; the serjeant and some of the soldiers put a rope round his neck and drew it over a beam, but he was not suspended. The magistrate then brought him to the town of Downpatrick, where the colonel of a fencible regiment, who has since died, put him on the picket, and he did immediately discover the names of several persons for whom he had manufactured pike-heads. In consequence of which discovery, nearly two hundred pikes were seized or brought in within two days. Let me here request of the noble Lord to reflect on the number of the probable murders which were prevented by this act of military severity, and appeal to his candour and good sense, whether the injury done to society in

putting Mr. Shaw on the picket, is in any degree to be put in competition with the injury which must have arisen, in leaving two hundred pikes of his manufacture in the hands of the rebels and assassins of that disturbed district. I deplore as sincerely as the noble Lord can do, those necessary acts of severity: but the executive government was reduced to the painful alternative of using the force entrusted to it in defence of the King's peaceable and well affected subjects, or of tamely giving them up to the fury of a fierce and savage democracy.

Every man of feeling must lament the painful duties which we imposed on military officers employed in the suppression of a rebellion. The noble Lord was employed in this service in America, where he was reduced to the painful, but I am confident the indispensable duty of ordering a gentleman who bore the commission of a Colonel, to summary execution, without the formality of a trial. He will readily perceive that I allude to the case of Colonel Isaac Haynes, who was hanged at Charlestown in the year 1781. This gentleman had taken the oath of allegiance to his Majesty, and was suffered to retire to his plantation some miles up the country; the use which he made of this indulgence was to excite sedition, dissension, and disturbance in the adjacent district, to terrify the weak and timid into an union with him, and to murder every man who had consistency to resist his solicitations. Of this description was an Irishman of the name of Creighton, whose house he surrounded with an armed banditti in order to murder him, but Creighton had time to make his escape to Charlestown; and a patrol having come up with Haynes, seized him. On identifying his person by a court of enquiry, he was hanged at Charlestown, by order of the noble Lord, and of Colonel Balfour. I state these facts from the printed reports of the debates of the British House of Lords, in February 1781: and upon the same authority I will state, that the defence made for the noble Lord in that assembly by a near friend and connection of his was, that the Commander in Chief had fully approved of the execution of Colonel Haynes, and that similar executions had taken place in hundreds of instances during the American war. Let me repeat, that I do not allude to this act of extreme military severity in any manner with a view to condemn it: I am confident that the noble Lord in issuing his order, felt that it was an act on his part of painful and indispensable duty;—but with that feeling in his mind, I cannot but wonder that the noble Lord has brought forward the story of the ensue, and the story of the inquisition, and the story of the nurse and child, and the story of the blacksmith, more especially when I recollect the strong comment which the noble Lord had committed to posterity, upon a proposed parliamentary enquiry into the execution of Colonel Haynes, as an unpardonable abuse, in his opinion, of parliamentary privilege and authority. Soon after Lord Camden had issued his order for disarming the rebels in the northern district, he was enabled to come at evidence the most distinct and satisfactory of the system of treason established by the Irish brotherhood, and the means by which this discovery was made were purely accidental. A man of the name of Newell, an United Irishman, by profession a portrait painter, had been a member of one of the superior committees of the brotherhood; he had gone to the house of a gentleman in the county of Down, whose loyalty was unquestioned, to draw portraits of some of his family, and being prevented by sickness from attending his committee of the brotherhood for more than a fortnight, he was immediately suspected of having betrayed the secrets of his brotherhood to his employer, and marked accordingly for assassination. An attempt was made to execute

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this sentence upon him by night in the town of Belfast, when finding himself denounced, he did give information which enabled the executive government to seize three committees, with all their papers, in the very act of traitorous council. These papers were referred to secret committees of both Houses of Parliament; and the noble Lord acknowledges that he has read the reports made by them, but he has this night pretty plainly insinuated, that he considers the committees who made their reports, and the two houses who concurred with them, to be little short of dupes and drivellers, inasmuch as he has discovered, by a confession made by Newell and by another man of the name of Smith which he has read since his last arrival in Ireland, that the evidence given by both is false and fabricated. Let me ask the noble Lord whether he has been favoured with the confession of the worthy gentlemen who bribed the Smith and Newell, to make such a declaration? Has the gentleman, who paid each of them a sum of 400l. favoured the noble Lord with a detailed account of that transaction? And has Mr. Newell satisfied the noble Lord by his confession, that the papers seized at Belfast, and referred to both Houses of Parliament, are also false and fabricated? Has Mr. Newell's confession, which the noble Lord has read satisfied him, that the official returns of cannon, and muskets, and military stores, of soldiers organized for a revolutionary army; the official plan of a revolutionary committee; the projected scheme of massacre and confiscation, all reduced to writing, and seized upon three distinct committees of treason sitting in council, are fiction and fabrication? Has Mr. Neville's confession which the noble Lord has read since his last arrival in Ireland, satisfied him that the report of the committee of this House, stating that it appeared distinctly to them that the ambassador had been sent from hence by the brotherhood in the year 1795, to treat with the executive directory of the French Republic, is also mere fiction and delusion? And will the noble Lord gravely insinuate, that the Lords and Commons of Ireland are dupes and drivellers? And that the noble Lord, by his residence in another country, or by his occasional visits in Ireland, where he is surrounded by men who are anxious to deceive him, is now enabled to correct their errors and delusions? With all respect to the noble Lord it is an assumption, on his part, to which I must take leave to enter my protest; and I doubt not I shall be joined by a very great majority indeed of the gentlemen who feel a permanent interest in the safety of this country. When upon the reports made to both Houses of Parliament, they voted a joint and unanimous address to the Lord Lieutenant, desiring that he would exert the whole energy of the powers civil and military entrusted to him for the suppression of existing rebellion; and in consequence of this address, his Excellency did, with the advice and concurrence of his Privy Council, issue a proclamation notifying to all his Majesty's subjects, that he had in pursuance of the joint address of both Houses of Parliament, issued his orders to all executive officers civil and military, to maintain the public peace, and to suppress treason, rebellion and insurrection; and in the body of this proclamation, his Excellency did offer full pardon and indemnity to all persons who should within a reasonable time, I think six weeks, return to their allegiance; and the term for coming in was extended by a subsequent proclamation, I think to six weeks more. The noble Lord will not, I am confident, condemn a proclamation here, thus issued under the authority of both Houses of Parliament, and I trust he will not condemn it a second time in another place. And when the noble Lord was pleased on this night to impute some of the excesses of which he complained, to the orders and instructions given to the Commander in

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Chief by Lord Camden, I must again state to him my surprize that he should make such a vague and random charge against his Excellency, when he might have had precise and accurate information on the subject, by moving for a copy of the instructions. I have in my hand a copy of Lord Camden's instructions to the Commander in Chief, and of his general order issued in pursuance of them, which I will also read to the noble Lord.—(Here he read them, for which see Appendix.)

The vigorous measures adopted by Lord Camden, in which he was so fully supported by both Houses of Parliament, had in a great measure stopped the progress of rebellion, when it was again set into motion by a most preposterous proceeding, instituted by some gentlemen of rank and fortune in the county of Down. Early in the last summer, it was reported that a change of British Ministers was in agitation, and I have been well informed that a letter from a nobleman, who it was supposed would take a lead in the new Cabinet, was read at a tavern in this town to a motley assembly of United Irishmen and others, exhorting them to set the people of Ireland to work in the way of addresses to his Majesty, for that the critical time had arrived when the support of the new embryo Cabinet was essential. And at this critical time, when the whole of the county of Down was proclaimed by law to be in a state of insurrection, and when it had recently been a general scene of midnight robbery, conflagration and murder, an advertisement appeared in the public prints, calling on the High Sheriff to convene the inhabitants of the county without distinction, whether insurgents or not, to meet, in order to frame a petition to his Majesty for the dismissal of his Ministers: and what seems scarcely credible, amongst the persons who signed this curious requisition to the Sheriff, were the names of some magistrates who first memorialled the Lord Lieutenant and Council to proclaim the county under the insurrection act, as was the name of a Reverend Prelate, whom I see in his place on this night, for the first time that he has appeared there for years. The High Sheriff, much to his credit, refused to comply with this monstrous requisition made to him to collect the insurgents of the county of Down by colour of his authority; and the gentlemen who had formed this project for bringing together a body of ten or twenty thousand of them, gave it up, as they professed, only from an apprehension that such a tumultuous assembly would have been dispersed by the magistrates. But the petition was framed, and, if I have been well informed, that Reverend Prelate not only signed it, but did without reserve solicit signatures to it; and if I have been well informed, a clergyman of the established church, a member of the chapter of the cathedral of Down, did read this petition from the pulpit in a Dissenter's Meeting-house, and publicly solicit his auditory to put their names to it. I mention this circumstance in the hearing of that Reverend Prelate, that he may enquire into it at his next visitation, and if he finds that such an act of profane indecorum was committed by a member of his chapter, he may inflict a censure upon him adequate to his offence. This petition has appeared in all the public prints; it sets out by a complaint that the war and the misconduct of Ministers have destroyed the manufactures and the trade of that district. It is a discovery reserved for that sagacious Prelate, and his more sagacious compeers, that a war which has ravaged the German Empire must lessen the demand for Irish linens. But how does the fact bear them out in this assertion? The value of linens exported from Ireland in the four years prior to the war, from 1788, to 1791, inclusive, is nine millions four hundred and fifty eight thousand two hundred and ten pounds, and the value for the four subsequent years, from 1792, to 1795, inclusive,

inclusive, is eleven millions six hundred and sixty-two thousand one hundred and fifty-five pounds; so that it appears distinctly, that in the four first years of the war the linen manufacture, the staple of Ireland, and the only manufacture of the northern district, has increased to the amount in value of more than two millions two hundred thousand pounds, over and above the amount of it in the four corresponding years prior to the war; and in the year 1796, which I have not taken into this calculation, the value of linen exported, was three millions one hundred and thirteen thousand, six hundred and eighty-seven pounds, a sum infinitely greater than the export had ever before amounted to in any one year, since the linen manufacture was first established in Ireland. So much for the veracity of that Reverend Prelate, and his co-petitioners in this first assertion carried by them to the foot of the Throne. It is perfectly true, that in the last year, (1797) the export of linen fell above ten millions of yards; but if that Right Reverend Prelate and his accomplices, had thought fit to state truth to his Majesty, they would have stated, that the linen weavers of the county of Down, had altogether deserted their looms, and addicted themselves to politics, they would have stated to his Majesty that they had exchanged their shuttles for pikes and musquets and cannon; that their nights were devoted to every species of excess and outrage, and therefore, that a total stop was put to sober and honest exertion amongst the lower order of the people: and if the Right Reverend Prelate and his accomplices had told truth to his Majesty, they would have stated, that their petition, fraught as it is with virulent falsehood and misrepresentation, had been hawked about the country for the mischievous purpose of enflaming the minds of the people, and of diverting them from habits of sober industry and submission to the laws, and that this wise and patriotic effort has had its full effect. With equal veracity it is stated to his Majesty, that the commerce of that district has been annihilated by the war and by the misconduct of Ministers; how does the fact bear them out in this assertion? By official returns from the commissioners of the customs it appears, that the customs of the port of Belfast, for the four years of the war compared with the four corresponding years prior to it, have not fallen, on an average, quite seven thousand pounds a year; although the importation of foreign spirits has almost wholly ceased, and although it is perfectly notorious, that since the year 1791, the town of Belfast has been a citadel of treason, a circumstance not much in favour of its credit in foreign countries; perhaps the Right Reverend Prelate will tell me that the representation to his Majesty went not to any particular district, but to the kingdom at large; here again I met him with official documents, from which it appears that on a comparative view of the trade of Ireland, exports and imports, during eight years, ended at Lady-day, 1797, there is an accruing balance in her favour of more than six millions five hundred and forty thousand pounds; and the increase of her tonnage has been seventeen thousand eight hundred seventy-two tons in the same period. This is the country, whose trade and manufactures the Right Rev. Prelate represents to his sovereign, as annihilated by the war and by the misconduct of Ministers; this is the country which he represents to his Sovereign as sinking under the weight of misgovernment; this is the country which his Sovereign is to rescue from impending ruin only, by a radical parliamentary reform. But what will that Right Rev. Prelate say for himself in having joined in a representation to his Majesty, that the *most constitutional and legal means of seeking redress*, have been opposed by the most unconstitutional and illegal coercions. What will that Right Rev. Prelate, a Bi-
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shop of the established church, lay for himself, in having thus justified to his flock an organised system of murder and robbery, and midnight conflagration, as the most constitutional and loyal means of seeking redress, and in approaching his Sovereign with this premeditated and unblooming imposition? And is there salvation for a country, in which gentlemen of rank and fortune, headed by a Christian Bishop, can be misled into such acts of criminal folly and levity, not to bestow upon them a harsher epithet. About the same period a similar act of wisdom was committed in the county of Kildare, and a similar petition was hawked about that country for signatures, to which it is said the name of a mendicant cripple is affixed, whose station for more than twenty years has been on the high way at half a mile's distance from Naas, and who must be familiar to every gentleman that has travelled on the southern road; and I have been informed by unquestioned authority, that a peer of the realm did spend an entire day in the little town of Leixlip soliciting signatures to this petition, and that his canvass was retarded more than an hour by a blacksmith, who resisted the importunities practised upon him to forsake his hammer and his anvil, and to addit himself to the politics of his noble preceptor. What was the consequence of this act of criminal folly in the county of Kildare? From a state of perfect tranquillity and good order, it became almost immediately a scene of general tumult and outrage, inasmuch that the resident gentlemen were compelled to seek for safety and protection by maintaining regular military garrisons in their houses, and fortifying every part of them, which was open to assault, and such was the base and brutal spirit of the insurgents, that their best benefactors were marked for destruction. Mr. Conolly, who had spent the whole of his life and a princely fortune amongst them, who was more than seconded in acts of unbounded charity and benevolence by that excellent woman; who, if perfection be the lot of human nature, is a model of it; who has employed the whole of her life in administering comfort to the poor in a district of miles around her, as if they were members of her family, who has fed the hungry and clothed the naked, and healed the sick, and brought up their children in the ways of religion and virtue, and honest industry; Mr. Conolly and this most excellent lady were marked as the objects of plunder and destruction, by the wretches who had existed for a course of more than thirty years by their bounty. And this gentleman and his lady, who have thus devoted their lives, and a great and princely fortune, to acts of unbounded benevolence in a circuit of miles around them, are at this moment indebted for personal safety in their mansion-house, to the protection of a military guard, and dare not make use of the lower apartments in it, under the apprehension of a midnight salute of musquetry. And the noble Lord may rest assured, if he should return to his country residence in Ireland, he may meet the fate from the loyalists of Ballinahinch which was intended for Mr. Conolly by gentlemen of the same stamp at Celbridge.

Notwithstanding the patriotic efforts of some worthy and reverend gentlemen in the county of Down to persuade the people that their commerce and manufactures were annihilated, and that the acts of outrage and rebellion to which they were seduced, are the most loyal and constitutional means of redress, order and tranquillity were restored in the course of last summer in a considerable part of that district; a very great number of destructive weapons had been seized and secured in the King's stores. In the county of Down and the adjacent district, more than four thousand pikes, several thousands of fire-arms, two small pieces of cannon and a howitzer. And in another district, a noble Lord who sits near me was enabled to seize twelve hundred

hundred pikes and two pieces of cannon-six pounders: The people were returning fast to the habits of industry, and confidence was so far restored, that justice had in some of the disturbed counties resumed its course, in so much that several persons were capitally convicted of treason and murder, others of administering unlawful and treasonable oaths,—amongst the latter, a man of better rank in society, of the name of William Orr. Instantly a new revolutionary engine was set at work, and the administration of justice was systematically libelled in all its departments; a newspaper has been set up in the metropolis, if report is to be credited, at the suit of a young gentleman who may one day have a seat in this House, systematically to degrade the administration of justice; and this Mr. William Orr has been publicly held out as a martyr, and a victim sacrificed by the Executive Government in violation of criminal justice; and a gentleman, whom I believe the people of England have the happiness to behold as one of their representatives, has with equal decency and wisdom, at a late drunken tavern meeting in another country, given by way of sentimental toast, “the memory of William Orr who was basely murdered in Ireland;” and his neighbour, not to be outdone in wisdom and discretion by this worthy senator, announced to the chairman his sentiment, “that the Irish Cabinet may soon take the place of Mr. Orr.” I have informed myself accurately of the circumstances, which I will state, and as I state them in the hearing of the noble and learned Lord who sat upon his trial, if I should commit any the most trifling mistake, I have no doubt he will set me right: he was indicted for administering an unlawful oath to two soldiers of the names of Wheatly and Lindsay, and oath certainly intended to seduce them from their duty; what led to the discovery of their seduction was, the seizure of some official papers at Londonderry, upon a committee of United Irishmen, in which these two soldiers were returned by name by one of their corresponding committees, as *being up*, which is a cant phrase of the brotherhood to describe its members: these men were immediately seized by their officers, and examined separately, and on their examination, they both agreed in the detail of their evidence, and having sworn information before a magistrate against Mr. Orr, for administering an oath of seduction to them, he was arrested, and brought to trial. On his trial both the soldiers were examined, and proved distinctly, that Orr had administered the oath to them in the presence of several persons, whom they named; and after a long and puzzling cross examination, as I am informed, nothing appeared which could invalidate their testimony. An attempt was made by the prisoner, in his defence, to impeach the testimony of one of them, I think of Wheatley, in which he failed so completely, that the learned Lord who presided at the trial could not even take down his evidence on his note book; but no attempt whatever was made at or after the trial, to impeach the credit or invalidate the testimony of Lindsay; and although both the soldiers named several persons who had been present when they were sworn by the prisoner, not one of them was produced on his part or examined in contradiction of the soldiers. On this evidence the jury found him guilty, and recommended him to mercy; the next day a motion was made in arrest of judgment, and to the scandal and disgrace of the profession to which I belong, in a partial and garbled report of the trial of this unhappy man, which every lawyer who reads it must see is the production of a barrister, the public are given to understand that there was but one count in the indictment to which the objection was made in arrest of judgment; and the public are also given to understand that this unhappy man was tried and convicted under an expired statute, although it is clear as any point

could be, that the original statute would not have expired till the end of this Session of Parliament; and an act had passed last year for explaining and amending it, which is altogether suppressed, and although there were three counts in the indictment, to all of which the evidence on the trial equally applied, and two of them were unobjected to by the prisoner's counsel, yet is this circumstance also suppressed; and in the same garbled and mutilated report, an affidavit of two of the Jurors is printed, that whiskey was introduced into the jury-room, and that they were drunk when they gave their verdict, and to the scandal and disgrace of an honourable profession, in the same report, one of the prisoner's counsel is represented as having stated this affidavit in open Court, on the flimsy pretence of moving Oyer and Terminer for an attachment against these Jurymen upon the voluntary affidavit, which they had been prevailed upon to make, accusing themselves of having given their verdict in a state of intoxication; and in the same report a voluntary affidavit of a dissenting clergyman, taken most improperly by a magistrate after Orr's conviction, is also printed, in which he states some time since he attended Wheatley at the village of Rastharkin on a sick bed, when he confessed that he had committed a number of crimes, and amongst others the crime of perjury; and in the same affidavit he describes Wheatley pretty plainly as being in a state of mental derangement when he made this confession. On the return of the learned Lord to town, he laid the recommendation of the Jury before the Lord Lieutenant, and being asked by his Excellency whether he had a doubt on his own mind of the guilt of Mr. Orr, and whether he would join in recommending him to mercy? The learned Lord declared he had no doubt on his own mind of the guilt of this unhappy man, and that he could not recommend him to mercy consistently with his duty. His Excellency, notwithstanding this declaration of the learned Lord, respite Mr. Orr, to give time for enquiry whether any justifiable ground could be laid for extending mercy to him, and finding that nothing could be substantiated to shake the justice of his conviction, the unhappy man was left for execution. The affidavits which I have stated never were laid before the Lord Lieutenant; but if they had, is there a man with a trace of the principles of justice in his mind, who will say that such affidavits ought to be attended to? Is it to be supposed that a judge would receive a verdict from a Jury in a state of intoxication? Or was it ever heard that a Jurymen was received by Voluntary affidavit, to impeach a verdict in which he had concurred? Will any man with a trace of criminal justice in his mind say, that a voluntary affidavit of a person not produced, unexamined at the trial, ought to be received after conviction, to impeach the credit of a witness who was examined and cross-examined, and whose credit stood unimpeached by legal evidence? If such an affidavit were to lay the necessary foundation of a pardon after conviction, I will venture to say there is no man who may be convicted hereafter of any crime, however atrocious, that will not be able to obtain a similar affidavit. I wish magistrates to know, that in taking such affidavits, they are guilty of a gross breach of duty; they have no jurisdiction or authority to administer voluntary oaths or to take voluntary affidavits. The person who takes such an oath, or makes such an affidavit, cannot be convicted of perjury if he swears falsely; and, I am sorry to say, that it is no uncommon practice in magistrates to sign instruments which are called affidavits, without obliging the persons who sign them to make oath as to the truth of their contents. If a doubt could be entertained of the evidence given on his trial of the guilt of Mr. Orr, his dying declaration seems to me to be a plain confession of it; he is made to declare generally that the soldiers who accused him were

form; but for this general declaration he had this plain subterfuge,—that he had administered an oath to them, not to give evidence against any brother of the union. He seems distinctly to avow the offence of which he was convicted, and to deny the justice and authority of the statute which makes it a capital crime. The fact is, that this unhappy man was a principal and confidential member of the brotherhood, and his execution was considered a fatal blow to the cause of treason; and therefore it is that all this outcry has been raised, in the hope of doing away the effects of such an example, and of terrifying judges from discharging their duty, and the Executive Government from presuming to withhold pardon from any leading member of the brotherhood who may hereafter be convicted. The wretched beings of the inferior orders whom they seduce, are consigned to their fate without remorse or murmur.

Soon after the execution of Mr. Orr, a most atrocious libel was published on the Judge who condemned him, and on his Excellency the Lord Lieutenant, for suffering justice to take its course; and a wretched printer of the name of Finerty, who had been put forward to swear himself the sole proprietor of the newspaper in which it was published, was tried and convicted, and sentenced to the pillory and imprisonment on an indictment for the publication: and in order to do away the effects of this example, a new expedient was devised: a libel infinitely more flagrant and mischievous was immediately circulated in pamphlets, and newspapers, as the speech of one of his Majesty's Council, delivered by way of defence for the printer on his trial: I will not believe that honourable profession has been scandalized and degraded, by the delivery of such a farrago of falsehood and sedition in a court of justice: I will not believe that any gentleman who wears the gown of that honourable profession, could be found to insinuate broadly to the jury, who were to give a verdict on the trial of his client, that they were packed and garbled, because the sheriff by whom they were impanelled derived his authority from the crown: I will not believe that any gentleman of that honourable profession would venture to state distinctly, that his client could expect from the judge to whom he addressed himself, at best, but a cold and inanimate statement of facts, and the law arising from them, thus in plain terms insinuating, in the true spirit of the brotherhood, that the sources of criminal justice are poisonous and corrupted. No, in their rage for degrading the administration of justice, they would blast the character of their retained advocate, by falsely and foully representing him as sacrificing his miserable client to the cause of sedition and treason, and by imputing a libel to him for which the author ought to have accompanied Mr. Finerty to the pillory.

I trust the noble Lord has heard enough on this night to open his eyes with respect to the state of the kingdom of Ireland. But if any thing is wanting to fasten conviction on his mind, of the disloyalty and treason of the Irish union, let him look to what is now passing in the southern and midland districts; during all the disturbances which prevailed in other parts of the kingdom, we were in a state of profound tranquillity and contentment there; the farmers had already tasted the sweets of sober industry; agriculture was increasing most rapidly, and the country wore the face of wealth, and comfort and happiness; nay, more, the condition of the lowest order of the peasantry was meliorated in a degree that I never flattered myself I should have lived to witness; we never heard there of parliamentary reform or Catholic emancipation; and if the noble Lord was to talk of either to a farmer or a peasant of the southern or western province, he would comprehend him as little as he would understand the quotation of Tully which

which his Lordship has just now made; when the enemy appeared on the coast in the last year, a general sentiment of loyalty prevailed in all ranks and degrees of the people, who vied with each other, in contributing to defend their country against the invaders; on the report of General Mordaunt, at his return to France, of this unexpected loyalty of the people of Ireland, the ambassadors of the Irish union resident at Paris, were reproached with having imposed upon the directory, and in consequence of this reproach, instructions were transmitted to the Irish directory to organize the south of Ireland, as they had organized the north; and accordingly emissaries have been employed to seduce the people of that district with so much success, that there has been a sudden and immediate transition in almost every part of the province of Munster, and also in many counties in Leinster, from peace and good order and contentment to general tumult and outrage, and every species of cruelty and barbarism. Will the noble Lord say, that the present disturbed state of the southern district is to be imputed to the system of coercion, as he calls it, asked upon by the government of Ireland, and encouraged by the British Cabinet? Coercion, as he calls it, was never put into practice there, till unhappily the recent seduction of the giddy and deluded people of that district compelled the magistrates and resident gentlemen to fly for refuge to the Executive Government, and so call for the execution of the insurrection act in their own defence. But I make no doubt that we shall soon be told by some of the noble Lord's political friends in Great Britain, that the miserable inhabitants of the south of Ireland have been goaded to insurrection by the system of coercion, and that they have only fought for parliamentary reform and Catholic emancipation by the most loyal and constitutional means; and certainly this story may be told of the people of the south, with the same degree of truth with which it has been propagated of the injured inhabitants of the north. Let me now make a serious and solemn appeal to the noble Lord; let me call upon him to state distinctly and unequivocally whether he believes there is at this hour an organized and extended system of treason rooted in the kingdom of Ireland? If he answers that he does not believe it, let me ask him what he considers to be symptoms or proofs of treason? Does he consider the project of levying a revolutionary army a proof of treason; does he consider the seduction of the King's troops a proof of treason; does he consider a conspiracy to seize the King's forts and arsenals a proof of treason? Such a conspiracy was detected within the last month at Athlone. Does he consider the formation of secret depots of arms and ammunition a proof of treason; does he consider the concealment of cannon a proof of treason; does he consider the distribution of pikes amongst the lower order of the people a proof of treason; does he consider the mystick revolutionary government of the Irish Union a proof of treason; does he consider a regular correspondence carried on by the Executive Directory of the Union with the king's enemies to be a proof of treason? The fact is so notorious, that I must suppose the noble Lord has heard that there now is, and has been for a considerable time, an accredited minister plenipotentiary of the Irish Directory resident at Paris; a man who received the rudiments of his education in a seminary of Jesuits, and completed it in the office of an attorney at law. The noble Lord, has I presume also heard that the Irish Directory had three accredited ministers resident at Lisle during the late negotiation for peace, to counteract the King's minister Lord Mahonbury. I make no doubt the noble Lord would recognize these gentlemen, if he were to hear their names, as they are all natives of Belfast. And let me ask the noble Lord, whether he has come expressly to this kingdom, seriously to recommend

meant to us to oppose conciliation to rebellion, to oppose cannon and pikes with concision and sentiment and romance and fine feeling. If the noble Lord had been so opposed in America, there can be no doubt what would have been the event of his campaigns. But if the noble Lord has so much confidence in conciliation, he certainly has not commenced his operations with judgment, he should have set out by making his proposition to the Directory of the Union; and first let me ask him whether he knows of whom the Directory is composed? if he does, he will do a very signal service to the nation by disclosing their names. I suspect very strongly that the noble Lord has seen and communicated with some of them since his arrival in Ireland; not officially as members of the Directory, for I am pretty confident they would feel the same reluctance in communicating officially with the noble Lord, that they would feel in communicating with me; but as members of the head committee of grievances appointed to collect materials for this long expected debate. I am apt to suspect that some of the Directory may have tendered their services to the noble Lord. If they will negotiate with him, he will find the event to be that we shall be desired, by way of preliminary, to lay down our arms, to restore to the union all the arms and ammunition which we have taken from them, to repeal the test laws and the act of supremacy, and to give them a democratic House of Commons upon the basis of general suffrage, and when these preliminaries are conceded, in the true spirit of their brethren of France, they will tell us what further concessions they may have to demand.

I fear I have exhausted your Lordships' patience, and I have very nearly exhausted my strength. But before I sit down I must very shortly advert to the system of conciliation which the noble Lord has recommended, and first to the system of emancipation; a phrase I must say of equal wickedness and folly when applied to any class of his Majesty's subjects in this kingdom. Does the noble Lord know that the whole code of the papery laws enacted since the revolution has been repealed? and that there is not at this hour a single disability affecting a Papist or Roman Catholic save one, that is a restriction in the use of fire-arms to men possessed of a freehold of the yearly value of ten pounds or if a personal estate I think of three hundred pounds in value, a restriction which I sincerely wish was extended to all his Majesty's subjects in this kingdom without distinction; and therefore when the noble Lord talks of emancipating the Papists of Ireland, or of restoring them to the benefits of the constitution, he does not speak with all the accuracy which might be expected of him; I know of no word more frequently in use than the constitution, nor of any which is so often absent. I will state to the noble Lord what my notions are of the British constitution; and if I am mistaken he will set me right. A government springs from it which affords equal protection to all his Majesty's subjects in their characters, their lives, their liberties, and their property. Will the noble Lord say, that the character, the life, the liberty and the property of a Roman Catholic have not the same protection from the law in this kingdom, that is extended to every other member of the community?

I take it to be a vital principle of the constitution, that the church and state are intimately and inseparably united, clinging both to the other for support; and therefore it is, that every subject in these kingdoms is bound by laws coeval with the constitution as now established, before he can be admitted to the exercise of any efficient power ecclesiastical or civil derived under it, to give a solemn and unequivocal pledge of his allegiance to the establishment in Church and State: laws which bind us all indifferently, and therefore, when the modern cant of emancipation is applied to the

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test-laws, it seems to be a distinct avowal by those who ask it, that ~~this~~ branch of political reform means nothing short of revolution. The altar is the main pillar of the throne, and if we shall ever be so mad as to repeal the laws made to guard our ecclesiastical establishment, we shall in my opinion at the same moment shake to its foundation the British monarchy. Till the era of modern illumination, it never was supposed that a limited monarchy could exist without test laws: that they were essential to maintain the constitutional balance between the different powers of which our Government is composed, to prevent the Crown from committing the judicial and ministerial powers of the State to disaffected persons, and to prevent the people from committing the great and extensive powers exercised by their representatives, to persons of the same description. The founders of the Irish Union had sagacity to see that the first necessary step in their plan of revolution, was to abolish all religious distinctions in the State; and it baffles all human calculation to discover any sound principle upon which we have heretofore acted, in outstripping them in advances to the attainment of this their favourite object. When the noble Lord adopts the modern system of emancipation, I wish he would bring the subject forward distinctly, and let us view it in all its bearings: I should thank him to bring forward a detailed and practicable plan of rational Government, under his proposed system of emancipation: that he would first shew us the practicability of repealing the act of supremacy; an act which annexes the ecclesiastical jurisdiction in Ireland to the imperial crown of England: I should thank him to explain how the repeal of that act is practicable, without the authority of a British statute, authorising the Keeper of the Great Seal in England to affix it to an act, for making partition of this jurisdiction in Ireland with his Holiness the Pope: and if the two Houses of Parliament in Great Britain shall pass such an act, I shall thank the noble Lord for his solution of another difficulty, and that is, in what manner his Majesty can be enabled to assent to an act giving such an authority to the Keeper of the Great Seal, or to an act repealing the act of supremacy, consistently with the statute limiting the crown to the House of Hanover, or with the coronation oath; and above all, I shall thank the noble Lord, if his plan of emancipation should take place, to explain his nostrum for maintaining a Protestant Church by a Popish State, and to explain his new system of ecclesiastical jurisprudence, to be administered by judges who deny the source of all existing ecclesiastical authority in these kingdoms. If there ever was a subject, which ought to be treated with an anxious and trembling caution, it is this subject of Catholic claim and demand of exemption from the test laws and act of supremacy. But caution and sober deliberation have been contemptuously disclaimed: the people have been told from high popular authority, that they should by no means forego the opportunity of the war in urging their claims; that they should instantly embrace, and greatly emancipate; and that they must extinguish all members of the community who are startled by this magnificent project, or they will be extinguished by them. I might perhaps be accused for speaking with some degree of warmth on this subject, for I was within a hair's breadth of being extinguished, immediately after this sublime lesson of great emancipation and general extinguishment was promulgated.

Upon the subject of emancipation, will the noble Lord allow me to make a very earnest request to him, and if he will indulge me in it, I shall really acknowledge myself deeply indebted to him: will the noble Lord have the goodness, on his return to Great Britain, to oblige me, by proposing a repeal of the Test Laws and the Act of Supremacy, in the British

gish House of Lords? I am pretty confident the noble Lord will not grant this request: and he will not grant it because he knows that if he were to make such a proposition there, he would soon learn the lesson to the British Constitution. He would there be taught that the House of Stewart was expelled the British throne for a bad attempt, and that any man who should dare to propose such a repeal in the British Parliament, did by the proposition, condemn the title of the illustrious House of our monarch to the British throne. If the noble Lord were to talk of repealing the Test Laws, and the Act of Supremacy in Great Britain, by way of conciliation, he would be told, that he retailed the fulsome cant of James's memorable declaration for liberty of consciences; and I wish the noble Lord to read that famous proclamation, in which he will find the stale and flimsy pretext of conciliating and uniting men of all religious persuasions, in the support of Government and the Constitution, held out to the people of England by that deluded bigot, to reconcile them to the introduction of Papists into both Houses of Parliament, and into the efficient offices of the state, civil and military.

Upon the second head of the noble Lord's conciliatory project, I shall say but little: the opinions of the noble Lord upon this subject seem to have received a very sudden twist since his last arrival in Ireland. The noble Lord has stated this night, that his opinion recently and publicly delivered upon this subject, was confined altogether to parliamentary reform, in Great Britain; I must therefore conclude, that such was the noble Lord's reservation when he delivered that opinion, although it was delivered without reservation or qualification, in debate introduced by him exclusively on the subject of Ireland; but as the noble Lord still avows his disapprobation of Parliamentary Reform in Great Britain, as a measure at best doubtful in point of advantage, and imminently hazardous in the probable consequences: let me now put it to him, how infinitely more hazardous and critical will be the experiment in this kingdom. If the noble Lord will look to the political situation of Great Britain and Ireland, connected under one common sovereign, each country governed by a Parliament perfectly distinct from and independent of the other, the imperial system for both kingdoms, will appear to be the most critical and complicated that has ever subsisted in Europe: to a common observer it would appear to be utterly impracticable: however, experience has proved, that in the midst of popular turbulence, and in the convulsion of rancorous and violent party contests, the Irish Parliament as it is now constituted, is fully competent to all practical and beneficial purposes of government; that it is fully competent to protect this, which is the weaker country, against encroachment, and to save the empire from dissolution, by maintaining the constitutional connection of Ireland with the British Crown. And, therefore, if the noble Lord feels the imminent hazard of inopoyation in the constitution of Great Britain, how much more cautious ought he to be of making experiments in Ireland, more particularly when they have been first devised for the avowed purpose of destroying the subtle and attractive principles of adhesion, which have heretofore preserved the empire from dissolution. But let me suppose for a moment the noble Lord's conciliatory system was free from difficulty or objection, will he, as a statesman, seriously recommend to the Irish Parliament to yield to rebellion the claimed redress of speculative political grievances? Will the noble Lord, as a statesman, recommend to us as a measure of sound policy, to repeal our test laws and act of supremacy, and to reform the other House of Parliament, in the hope by such an act

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of conciliation and concession, to put down a determined rebellion? If we are to make such a precedent for the encouragement of rebellion, I beg of the noble Lord to say where we are to draw the line; and if he will not subscribe to my opinion on this subject, I beg to refer him to a right honourable Gentleman in another country of the first ability as a statesman, who, in the year 1783, did most emphatically declare his opinion as a Cabinet minister, that the existence of legitimate government in Ireland depended on the dispersion of a military convention, then assembled for the reform of parliament, and on the indignant rejection of any proposition which they might presume to make upon the subject. In that convention I will venture to say there was not a single rebel; there was not a member of it who would not willingly have shed his blood in the defence of his sovereign and of the constitution. But I did then agree with that right honourable Gentleman, that there must be an end of all legitimate government, if political claims are to be advanced at the point of the bayonet; and if I did at that period refuse to listen to a proposition for parliamentary reform, made to the House of Commons by a military convention, composed of very worthy gentlemen, who had been giddily betrayed into such an act of indiscretion, I will not now listen to much more extravagant claims pressed upon me under the terror of impending rebellion. If the conciliatory system recommended by the noble Lord is to be debated on its intrinsic merits, let me advise him to apply to the Directory of the Irish Union in the first instance; let the Directory withdraw their minister plenipotentiary from Paris; let them dissolve their revolutionary Government at home; let them deliver up their cannon and pikes which have heretofore escaped the vigilance of civil and military officers, let them withdraw their emissaries who have been sent forth to seduce the people from their allegiance, and absolve them from the unreasonable engagements with which they have been seduced; and let them then submit their claims and their grievances to calm discussion by the Legislature.

I will once more appeal to the noble Lord, and call upon him to wave all vague and general assertions; and to state distinctly the grievance, if it exists, of which the people of Ireland can with justice complain against the British Government, the British Parliament, or the British Nation; or against the Government and Parliament of their own country. In 1779 they demanded a free trade and it was granted them. In 1782 they were called upon to state the measure of their grievances, and the redress which they demanded; and redress was granted to the full extent of their demands. In 1783 they were dissatisfied with the address which they had pointed out and acknowledged to be complete and satisfactory, and it was extended to the terms of their new demand. In 1785, they demanded a commercial Treaty with Great Britain, and she made them a fair and liberal offer, which they were pleased to reject with childish folly. In 1789 they demanded a Place Bill, a Pension Bill, and a Responsibility Bill, as necessary to secure the Constitution established in Great Britain and Ireland in 1688, and renewed in Ireland in 1782, which they pledged themselves to support to the last drop of their blood. They had their Place Bill, and their Pension Bill, and their Responsibility Bill, and much more than they had ever demanded upon that score; for his Majesty was pleased to surrender his hereditary revenue, and to accept a civil establishment for his life, by which Parliament was enabled to make a general appropriation of the revenues, and to limit the Crown in granting pensions; and his Majesty was also pleased to put the office of Lord Treasurer into commission; and by these regulations they obtained the

same

same security for the Constitution as established at the Revolution in 1688, which the people of Great Britain enjoy; and at the time when this security was given to them, the Parliament of Great Britain repealed and explained the British navigation laws, by which we were prohibited from exporting the produce of the British colonies and plantations from this country to Great Britain, a boon of all others the most essential to our foreign trade, for by it we have the certain issue of the British market for any surplus of plantation goods imported into Ireland above our own consumption. About the same period every disability which had affected Irish Papists was removed, save a restriction in the use of fire-arms, which extends only to the lowest order of the people; and sober and thinking men might reasonably have hoped that the stock of grievances was exhausted, and that they might have been allowed some short respite from popular ferment. In this expectation, however, we have been deceived, and when every other topic of discontent had failed, the government and constitution, as established at the Revolution, has been discovered by the gentlemen who pledged themselves in 1789, to defend and maintain it to the last drop of their blood, to be a slavish monopoly, inconsistent with the civil and religious liberties of the people. And is the noble Lord so credulous in this instance as to suppose, if this new project should succeed, and the slavish monopoly of the Revolution was abolished, the account of grievances would be closed—*Uno avulso, non deficit alter, & simili frondefcit Virga metallo*.

If the noble Lord wishes to know the genuine source of offensive Irish grievances, he will be enabled to trace it to some of his political friends and connections in Great Britain and Ireland. The genuine source of Irish complaint against the British government is, that they will not second the ambitious views of some gentlemen who claim an exclusive right to guide the public mind, and to monopolize to themselves and their dependants the power and patronage of the Crown. The genuine cause of complaint against the British Cabinet is, that they will not suffer these gentlemen to erect an aristocratic power in Ireland which shall enable them to dictate to the Crown and the people; which shall enable them to direct and controul the administration of Great Britain, by making the government of this country impracticable by any but their friends and allies. Upon what just grounds these arrogant pretensions are advanced, I have not as yet been enabled to discover. I am willing to give the noble Lord full credit for the sincerity of his professions, and to believe that his object is to tranquillize this giddy and distracted country, and therefore I will take the liberty most earnestly to advise him not to renew the strange exaggerated statements which he has been in the habit of making on Irish affairs in the British House of Lords, where they can have no other effect than mischief. Let me advise him also most earnestly to exert the influence which his high name and character must give him with his political connections in Great Britain, to induce them to confine their political warfare to the theatre of their own country, and to cease to dabble in dirty Irish faction. It is one great misfortune of this country that the people of England know less of it, than they know perhaps of any other nation in Europe. Their impressions I do verily believe to be received from newspapers; published for the sole purpose of deceiving them. There is not so volatile nor so credulous a nation in Europe as the Irish; the people are naturally well disposed, but are more open to seduction than any man would credit, who had not lived amongst them. If I am to speak without disguise, civilization has not made any considerable progress amongst us, and therefore the kingdom of Ireland is, of all the nations of Europe, the

most dangerous to tamper with, or to make experiments upon. Her present disturbed and distracted state has certainly been the consequence of a series of experiments practised upon her for a course of years. If the gentlemen of Ireland who have a permanent interest in the safety of the State, could be prevailed upon to adjourn their political quarrels and resentments to a period when they might be renewed, without endangering every thing which is worth preserving in society, and to unite against the common enemy, I should feel no manner of apprehension for the event of the contest in which we are engaged, with foreign and domestic enemies. But whilst we are divided, and men of rank and character are found ready to hazard every thing for the possible success of little paltry personal objects, the crisis becomes awful indeed. If Ireland is to be tranquillized, the first step towards it must be, to crush rebellion. No lenity will appease the factious rancour of modern Irish reformers, nor will any measure of conciliation satisfy them short of a pure democracy, established by the influence, and guaranteed by the power of the French Republic.

Lord Moira having in his reply stated; that he did not wonder the people of Ireland should wish for Parliamentary Reform, when an official declaration had been made in the House of Commons, that half a million must be expended to put down the opposition. The Chancellor, in answer to this observation, thanked his Lordship for having offered him an opportunity of publicly refuting a calumny which had been propagated with uncommon industry. The Chancellor stated, that in the session of 1789, during the indisposition of his Majesty, when a debate arose upon a vote of censure moved against Lord Buckingham, because he declined to transmit an address to his Royal Highness the Prince of Wales, an observation was made in the House of Commons, by some other gentleman, that a censure had some years before been voted against Lord Townshend, and that in the same Parliament, a flattering address had been also voted to him. The Chancellor said, that in adverting to this observation in the course of the debate, he stated simply, that he had heard that address in all its consequences, cost the Irish nation half a million; and the story which has been built on this naked observation, on a statement made in debate by another gentleman, is, that he had, in defending new offices created by Lord Buckingham, justified the expenditure of half a million in putting down the opposition in the House of Commons; he said he was not surprised than Lord Moira had been imposed upon by this impudent falsehood; but that two plain facts were sufficient for its detection: one is, that the new offices complained of, were not created until after he (the Chancellor) had ceased to be a member of the House of Commons; and the subject never was debated in the House of Lords. The other fact he stated to be, that when he made the observation, he voted in a small and virtuous minority in the House of Commons, when so far from his speaking officially, it was generally understood, that he was to go out of office on the change of Administration, which was expected immediately to take place, so much so, that his successor was publicly named. As to the transactions in Lord Townshend's time, he could have spoken of them merely from report, as at the time they took place, he was at the university of Oxford.

Original Papers, referred to in the foregoing Speech.

Die Jovis, 7^o Martii, 1793^o.

The Lord Chancellor from the Lord Committees appointed to enquire into the causes of the disorders and disturbances which prevail in several parts of this kingdom, to endeavour to discover the promoters of them, to prevent their extension, and to report the result of their enquiries to the House, made the following report, viz.

My Lords,

The Committee appointed to enquire into the causes of the disorders and disturbances which prevail in several parts of this kingdom, to endeavour to discover the promoters of them, to prevent their extension, and to report the result of their enquiries to the House, have examined into the matters to them referred as far as the time would permit, but apprehending that delay may be attended with danger in the present circumstances of the times, they think it their duty to lay before the House immediately such information as they conceive to be material for the present, which is as follows :

The people at this time called defenders, are very different from those who originally assumed that appellation, and are all, as far as the Committee could discover, of the Roman Catholic persuasion ; in general, poor ignorant labouring men, sworn to secrecy, and impressed with an opinion that they are assisting the Catholic cause ; in other respects they do not appear to have any distinct particular object in view, but they talk of being relieved from hearth-money tithes, county cesses, and of lowering their rents. They first appeared in the county of Louth, in April last, several of them were armed, they assembled mostly in the night, and forced into the houses of Protestants, and took from them their arms. The disorders soon spread through the counties of Meath, Cavan, Monaghan, and other parts adjacent ; at first they took nothing but arms, but afterwards they plundered the houses of every thing they could find. Their measures appear to have been concerted and conducted with the utmost secrecy and a degree of regularity and system not usual in people in such mean condition, and as if directed by men of a superior rank. Sums of money to a considerable amount, have been levied, and still continue to be levied upon the Roman Catholics in all parts of the kingdom, by subscriptions and collections at their chapels and elsewhere ; some of which levies have been made, and still continue to be made under the authority of a printed circular letter, which has been sent into all parts of the kingdom ; a copy of which letter we think it our duty to insert herein.

“ Sir,

“ By an order of the sub-committee, dated the fifteenth of January, I had the honor to forward you a plan for a general subscription, which had for its object the raising a fund for defraying the heavy and growing expenses incurred by the General Committee, in conducting the affairs of the Catholics of Ireland ; as several mistakes have occurred in the transmission of these letters, owing to my ignorance of the address of many of the delegates, I am directed to inform you, that such a plan is now in forwardness throughout the kingdom. A measure so strongly enforced by necessity,

sity, and so consonant to justice, cannot fail to attract your very serious attention, the Committee having the most perfect reliance on your zeal, are therefore confident that you will use your best exertions to carry this necessary business into full effect.

Dublin, February 5th, 1793.

Signed by the Secretary of the sub-committee."

"P. S. It is hoped that you will acknowledge the receipt of this letter, stating at the same time whatever progress has been made in your district."

Several seditious and inflammatory papers published in Dublin, and dispersed through the country, seem to have countenanced and encouraged the defenders in their proceedings, and it appears that letters were written by a member of the Committee of the Roman Catholics at Dublin, previous to the last summer assizes, to a person resident at Dundalk, in one of which the said person in the name of the said Roman Catholic Committee, directed enquiries to be made, touching the offences of which the Defendants then in confinement were accused, which enquiries will be best explained, by inserting the said letter in the words following.

Dublin, 9th August, 1792.

"Dear Sir,

"I received this day your favor of the 8th instant, enclosing the different papers respecting the business I wrote you. It is with much regret that I am obliged to reply, that from the want of information on the subject matter of the indictments, no precise opinion can be formed whether the alleged offence is or is not bailable; the Committee are consequently in the dark as to the measures that should be adopted, nor can your exertions accelerate (as it seems) that period until the assizes, when you will be able to obtain office copies of the examinations. Mr. Nugent's brother left town this day truly disconsolate, in not being able to effect something towards the liberation of his kinsman, he however did his best in the affair.

"I am, dear Sir,

"your obedient Servant,

"*John Sweetman.*"

"P. S. If any new occurrence should happen, be good enough to inform me of it."

And it does appear that the said person to whom the said letter was addressed at Dundalk, did employ at a considerable expence, an agent and counsel to act for several persons who were accused of being defenders, and were indicted for offences committed by them in the county of Louth, one of which offenders appears to be particularly named in the above letter. But the committee think it their duty to state, that nothing appeared before them which could lead them to believe that the body of the Roman Catholics in this kingdom were concerned in promoting or countenancing such disturbances, or that they were privy to this application of any part of the money which had been levied upon them, however suspicious the conduct of ill-disposed individuals of their persuasions, resident in Dublin, may have been. If all the magistrates in the disturbed counties had followed the spirited example of the few, who, much to their honor, exerted themselves with vigour and courage to support the laws, the committee are persuaded that these disturbances might have been suppressed; but instead of doing so, much the greater part of them remained inactive. The committee are of opinion that the best means of restoring permanent tranquillity

quillity in the disturbed counties, would be to procure a sufficient number of active, resolute and steady magistrates therein, who would exert themselves to maintain the public peace, and to cut off from these deluded people, all hopes or expectation of support or defence arising from a common fund to be levied upon persons of their communion.

An unusual ferment has for some months past disturbed several parts of the north, particularly the town of Belfast and the county of Antrim, it is kept and encouraged by seditious papers and pamphlets of the most dangerous tendency, printed at very cheap and inconsiderable rates in Dublin and Belfast, which issue almost daily from certain societies of men or clubs in both those places, calling themselves committees under various descriptions, and carrying on a constant correspondence with each other. These publications are circulated amongst the people with the utmost industry, and appear to be calculated to defame the Government and Parliament, and to render the people dissatisfied with their condition and with the laws. The conduct of the French is shamefully extolled, and recommended to the public view as an example for imitation! hopes and expectations have been held up of their assistance by a descent upon this kingdom, and prayers have been offered up at Belfast from the pulpit, for the success of their arms, in the presence of military associations which have been newly levied and arrayed in that town. A body of men associated themselves in Dublin, under the title of the first national battalion, their uniform is copied from the French, green turned up with white, white waistcoat and striped trowsers, gilt buttons impressed with a harp and letters importing "First National Battalion," no crown, but a device over the harp of a cap of liberty upon a pike; two pattern coats were left at two shops in Dublin. Several bodies of men have been collected in different parts of the North, armed and disciplined under officers chosen by themselves, and composed mostly of the lowest classes of the people. These bodies are daily increasing in numbers and force; they have exerted their best endeavours to procure military men of experience to act as their officers; some of them having expressly stated that there were men enough to be had, but that officers were what they wanted. Stands of arms and gunpowder to a very large amount, much above the common consumption, have been sent within these few months past to Belfast and Newry, and orders given for a much greater quantity, which it appears could be wanted only for military operations. At Belfast, bodies of men in arms are drilled and exercised for several hours almost every night by candle-light, and attempts have been made to seduce the soldiery, which, much to the honor of the King's forces, have proved ineffectual. The declared object of these military bodies is to procure a reform of Parliament, but the obvious intention of most of them appears to be to overawe the Parliament and the Government, and to dictate to both. The committee forbear mentioning the names of several persons, lest it should in any manner affect any criminal prosecution, or involve the personal safety of any man who has come forward to give them information. The result of their inquiries is, that in their opinion it is incompatible with the public safety and tranquillity of this kingdom, to permit bodies of men in arms to assemble when they please, without any legal authority; and that the existence of a self-created representative body of any description of the King's subjects, taking upon itself the government of them, and levying taxes or subscriptions, to be applied at the discretion of such representative body, or of persons deputed by them, is also incompatible with the public safety and tranquillity. To which the House agreed.

Dublin

Dublin Castle, 2d March, 1795.

SIR,

I am commanded by my Lord Lieutenant to acquaint you, that from the information received by his Excellency with respect to various parts of the north of Ireland, additional measures to those hitherto employed for preserving the public peace, are become necessary. It appears that in the counties of Down, Antrim, Tyrone, Derry and Donegal, secret and treasonable associations still continue to an alarming degree, and that the persons concerned in these associations are attempting to defeat all the exertions of the loyal and well-disposed, by the means of terror; that they threaten the lives of all who shall venture, from regard to their duty and oath of allegiance, to discover their treasons; that they assemble in great numbers by night, and by threats and force disarm the peaceable inhabitants; that they have fired on his Majesty's justices of the peace when endeavouring to apprehend them in their nocturnal robberies; that they threaten by papers, letters, and notices, the persons of those who shall in any manner resist or oppose them; that in their nightly excursions for the purpose of disarming his Majesty's loyal subjects, they disguise their persons and countenances; that they endeavour to collect great quantities of arms in concealed hiding places; that they have cut down great numbers of trees on the estates of the gentry, for the purpose of making pikes; that they have stolen great quantities of lead for the casting of bullets; that they privately by night exercise themselves in the practice of arms; that they endeavour to intimidate persons from joining the yeomanry corps established by law in order to resist a foreign enemy; that they refuse to employ in manufactures those who enlist in the said corps; that they not only threaten, but ill-treat the persons of the yeomanry, and even attack their houses by night, and proceed to the barbarous extremity of deliberate and shocking murder, as was exemplified in their recent attack, and murder by night, of Mr. Conyns, of Newtown Ards, and that they profess a resolution to assist the enemies of his Majesty, if they should be enabled to land in this kingdom.

It further appears, that these disturbances and outrages exist, and even increase, as well in the districts which have been proclaimed, as in other parts of the country.

In order therefore to reduce the persons engaged in the aforesaid treasonable associations, and guilty of the said atrocious outrages, to subordination to the laws, and to give confidence to the well-disposed among his Majesty's subjects, and security to their properties and their lives, and to prevent any assistance being given to the enemy by the disloyal and dissatisfied. His Excellency has commanded me to communicate to you his positive orders, that you take the most immediate and decisive measures for disposing of the military force under your command, aided by the yeomanry corps, for immediately disarming all persons who shall not bear his Majesty's commission, or are acting under persons so commissioned, or persons holding commissions under the authority of the yeomanry act, or persons acting under officers so commissioned, and after making such disposition, you are required to carry such disarming into effect.

His Excellency gives you this full authority, in order to give your discretion the greatest latitude, relying at the same time on your prudence and discernment in the exercise of it, so that the peaceable and well-affected may be protected against the evil designs of those who have threatened their lives and property with destruction.

His

His Excellency further authorizes you to employ force against any persons assembled in arms, not legally authorized so to be, to disperse all tumultuous assemblies of persons, though they may not be in arms, without waiting for the sanction and assistance of the civil authority, if in your opinion the peace of the realm, or the safety of his Majesty's faithful subjects may be endangered by waiting for such authority.

His Excellency further authorizes you to consider those parts of the country where the outrages before stated have been committed, or where they shall arise, as being in a state that requires all the measures of exertion and precaution which a country depending upon military force alone for its protection would require; and you are therefore required, to station your troops with a view to interrupt communication between those whom you may have reason to suspect of evil designs; to establish patrols on the high roads or other passages, and to stop all persons passing and re-passing after certain hours of the night, and in order completely to carry into effect any orders or regulations, which in the circumstances of the case may be considered by you as necessary. You are authorized to issue notices stating the regulations, and calling upon his Majesty's subjects to be aiding and assisting therein.

I have the honour to be, &c.

To *Lieut. Gen. Leake.*

T. P.

Dublin Castle, 18th May, 1797.

MY LORD,

The Lord Lieutenant and Council having judged it expedient to call upon his Majesty's troops to exert their utmost force to suppress a seditious and traitorous conspiracy of persons styling themselves United Irishmen, I am commanded by his Excellency to transmit to your Lordship a copy of the proclamation issued on this subject, and to desire that your Lordship will issue the necessary orders to the troops under your command in consequence thereof. His Excellency has directed me to represent to your Lordship, that as the traitorous and treasonable designs of these conspirators extend to the subversion of the constitution and government, it will be necessary to take measures of general precaution, so that the troops may be prepared to act, whenever it becomes necessary to have recourse to their exertions. In those parts of the kingdom where these designs have been manifested by acts of open violence, it will be necessary to give the officers of his Majesty's troops more precise directions for their conduct. In such parts of the kingdom as have been disturbed by nocturnal depredations, where the lives of his Majesty's loyal subjects have been endangered by persons collected in arms, attacking and firing upon their houses, and where assemblies of persons have been collected for the purpose of unlawfully cutting down trees, or perpetrating other acts of outrage, military precaution should be adopted for the security of the lives and property of his Majesty's loyal subjects, and opposing by the most effectual means such daring acts of violence.

Diligent enquiry should be made respecting any concealed arms or ammunition, and for pikes, and pike handles, and upon information thereof, officers commanding parties should be directed to search for and seize the same.

Any persons armed with pikes or other weapons, in resistance of his Majesty's troops, are to be considered as rebels and treated accordingly.

All

All persons exercising themselves in the use of arms, under persons so holding his Majesty or the Lord Lieutenant's commission, are to be disarmed and apprehended, and in case of resistance to be treated as rebels, and as it appears to be a part of the system of these conspirators to take the opportunity of funerals and other occasions to assemble considerable numbers of persons, the officers of his Majesty's army should be directed in pursuance of this proclamation to watch all such assemblies, and if from their number or other circumstances the public peace should appear to be endangered, they will disperse them; and as various attempts have been made to seduce his Majesty's troops from their duty and allegiance, you will direct all persons of suspicious appearance, who shall come within the lines of any encampment, barrack, or other stations of his Majesty's troops, to be detained.

And his Excellency further desires that your Lordship will, from time to time, communicate such instructions to the officers of his Majesty's troops, as you shall deem best adapted, for carrying into effect his Excellency's proclamation, and as local exigencies may demand.

I have the honor to be,

My Lord,

Your Lordship's most obedient,

Humble servant,

To Earl Carhampton,
Commander in Chief.

THOMAS PELHAM.

In obedience to the order of the Lord Lieutenant in council, it is the Commander in Chief's command, that the military do act without waiting for directions from the civil magistrates, in dispersing any tumultuous unlawful assemblies of persons, threatening the peace of the realm and the safety of the lives and properties of his Majesty's loyal subjects wherever collected.

Bishop of Down. I hope, my Lords, the very severe and personal attack which the learned Lord has made upon me will justify me in troubling your Lordships, though unaccustomed to speak in public.—My Lords, the tone in which the learned Lord has spoken of me, renders it impossible that I should not say something to defend myself from an aggression so unprovoked. He has spoken of me as if he took it for granted, that neither I nor any of my brethren were justified in having an opinion of our own on any subject, as if it were a thing of course that we should always adopt the sentiments of administration, and that to differ from them in any point were a flagrant violation of our sacred duty. What, My Lords, have I been charged with? And what is the crime which has provoked such asperity? I am charged with having been one of many highly respectable names who dared to petition our common Sovereign, and lay before the father of his people the sufferings under which we labour. Of that measure, my Lords, I am proud—I contend for it that considered in a constitutional point of view it was perfectly legal, and I am equally convinced that the allegations of it, notwithstanding what the noble Lord has alleged to the contrary, were perfectly and strictly true. I have not, indeed, compared the formal and technical returns of the imports and exports of this or that manufacture for a given year or two—but I am convinced, from ocular and personal examination of the general state of that part of the country, from the general testimony of its inhabitants, and from the infallible proof which the aspect of the country exhibits, that its manufactures and its trade have suffered, almost to annihilation. The noble

able and learned Lord, in a tone of confidence which is so peculiar to him, asserts that I went about soliciting signatures to this petition. I assert, in opposition to the learned Lord, that the information which he has received on that subject is false. I deny the fact: but were it true, I see nothing in it, which either as an honest man, or a Protestant Bishop, I should be ashamed of. For this measure the learned Lord has endeavoured to hold me forth to this House and to the public as a culprit, and when he describes me in that point of view, he holds me up emphatically as a Bishop. Is this the conduct of one professing, as the learned Lord does, such zeal for the support of the established church? If such be his treatment of his friends, the Catholics have little reason to regret his friendship. But what is the impropriety in a Protestant Bishop uniting with his fellow subjects in a petition to the Crown? Is the right to petition abrogated; or is it become treason to complain! If it be, and that I have transgressed in this act of mine any law of the land, why have I not been prosecuted? For surely the law-officers of the Crown did not want inclination for the task—Or if I have been guilty of any indecorum to the House by exerting what I considered a constitutional right, why has not the learned Lord come boldly forward to move for its censure on me. I assure the learned Lord that to any chastisement of the House I shall submit with becoming humility, at the same time that I shall entertain for his disapprobation or praise the most perfect indifference. My Lords, I feel that I am warm on this subject—I pray your Lordships' pardon, and beg you will excuse me, interested as I must be in the strong expressions which have been used towards me, I have not been quite temperate. The Chancellor, in that stile of interrogatory which seems to imply so much, and which really means so little, asks whether your Lordships will meet treason and murder and conspiracy, with measures of conciliation—with Parliamentary Reform and Catholic Emancipation? I answer, my Lords, that these are the only remedies which in our present circumstances are likely to be effectual. Of Catholic emancipation—a full and complete emancipation—an admission to all the rights and privileges which a subject can claim, I have been always a decided friend—I have always thought it was a measure not merely of sound policy, but of strict right; nor has any thing which has fallen from the noble Lord to-night, or at any former time, tended in any degree to shake my confidence in that opinion—equally convinced am I, that a full and fair reform of the representation of the people is a measure of wisdom and necessity—I see nothing but this measure which can now restore to Ireland the blessings of tranquillity and content. I have some property in this country—it is not a great deal—but it is sufficient to interest me in the safety and welfare of the state. I have also my preferment in the church, both of these bind me to consult the peace and good order of the country; and I declare it to be my firm belief, that unless these measures be adopted, my property, and that of every other gentleman in the country—nay, the country itself, is gone! The learned Lord has mentioned something of letters which talked of a change of Ministry, &c.—I know not whether he alludes to me—If he does, I aver that I have not for many years received any letters from Great Britain which expressed the most distant hope being entertained of a change of Ministers. However desirable such an event might be to the true friends of both countries, I confess I see no reason to think that that event is not now as distant as ever. Whatever the fate of the country may be—and I dread that fate—it will be due to the present Ministers.

Lord *Dunsany* supported the motion with much ability; he showed that the present system was the cause of the existing discontent in a great

measure, and that where the people of Ireland were treated by Government with lenity and indulgence, they were proportionably loyal and grateful. It had been asked of the noble Earl who made the motion, why he had not now brought before the House a catalogue of those enormous cruelties which he had detailed in the British House of Peers? Instead of being asked such a question, the noble and learned Lord should rather have thanked him for the conciliating and pacific manner in which he proposed to act.—But if noble Lords wanted such a catalogue, he could furnish them—he could relate to them not simply the burning of houses, but the murder in cool blood of their inhabitants—he could give them an account of three men particularly, who, after having had their houses burnt to the ground, were shot by the military after having been for some time prisoners; and he could add to these accounts the much more numerous instances of men torn from their family and country, and without the form of a trial transported for life. He declared himself a friend to both the measures of conciliation which had been mentioned—Catholic Emancipation and Parliamentary Reform.

Earl *Mordaunt* in reply.—My Lords, the noble Baron who spoke second in this debate, and the learned Lord on the Woolfsack have both said, that my arrival in this country has produced much mischief, and greatly inflamed discontent. If, my Lords, so much danger were to be apprehended by my coming, those whose misrepresentations so widely and so wantonly circulated of my conduct in another country, made it necessary that I should come, are chargeable with the mischief. The noble Lords have said also, that the discussion in which we are now engaged will aggravate the disorders which are already so mischievous—if so, my Lords, they who have made the discussion necessary by resisting a motion of conciliation and peace are to be blamed for the consequences. The noble Baron who thought fit so eloquently to oppose my motion, began his speech by insinuating that a something had taken place somewhere, which with respect to this House he did not think becoming—the noble Baron appeared to labour under great difficulty in stating what that something was—it however at least appeared to be the motion which I had the honour of submitting to the British Parliament on this subject. But the noble Baron, though apparently much discontented with my speech on that occasion, could not state exactly in what the irregularity of it consisted. The learned Lord on the Woolfsack who followed him, declared himself equally dissatisfied with my conduct on that occasion, but laboured under the same difficulty in stating in what the breach of order or want of respect to this House consisted. Of my attachment to the independence of the Irish Legislature, neither of the noble Lords surely can entertain any doubt; and it behoved the learned Lord, who seems also to charge my conduct on that occasion, with being hostile to that independence, to have known that the motion which I then made was perfectly consistent with the perfect independence of the Legislature of Ireland, and consonant to that spirit on which the connexion of the two countries is founded. The learned Lord should have known that the Lord Lieutenant of this country is appointed by a commission under the Great Seal of England—that he receives his instructions from the Secretary of State, and under the King's signet—that he is bound to obey the instructions which he receives through the medium of that Secretary, a member of the British Cabinet; and that therefore it is under the special instruction of that Cabinet that he acts. Through what channel, then, could application be made to correct the abuses of the Irish Executive but through the channel of the British Parliament, to whom only that Cabinet is responsible? The learned Lord might have learned

learned further on the subject:—he might have learned that, if the conduct of an Irish Lord Lieutenant is not censurable by the British Legislature, the Irish Lord Lieutenant holds a situation which the British Constitution disclaims and abhors—a situation destitute of responsibility, for the Irish Parliament cannot take cognizance of the conduct of the Viceroy appointed by the Crown and Cabinet of Great Britain. The jurisdiction of the British Parliament over the conduct of the Irish Viceroy the learned Lord might have seen ascertained by the highest authority, by Lord Coke himself, who lays it down as a principle, that wherever the King's Seals go, there does the authority of Parliament extend. But laying aside those arguments which, from the nature of them, the noble Lord might be supposed to know, there is another which proves that in what I did on that occasion I was perfectly well founded—it was, that though the subject of my motion was far from agreeable to the majority of the British Peers, yet no attempt was made to stop me from proceeding under any supposed idea that the subject was one unfit for the discussion of that House. A great number of the British Peers were by no means politically friends to me—they would, therefore, have gladly availed themselves of such an objection to the motion, had it been liable to such objection. The learned Lord, in a very long speech, has gone into an elaborate, and I will allow, an able detail of the concessions which Great Britain has made to Ireland for some years back. I do not see how that detail bears on the present question, but I will say of those successive demands and concessions which have been made, that they were such as in an improving country might naturally have been expected. Every new advantage which Ireland enjoyed enlarged her sphere of action, and made her know the value of, and feel the necessity for others. I will say still farther, that if these were concessions made to the demands of Ireland, they were equally beneficial to Great Britain, for the wealth of Ireland is the strength of Great Britain, as I would say that the weakness or poverty of Great Britain would be the calamity of Ireland.

The learned Lord asks, whether I do not believe that there exists in this country a dangerous conspiracy against the Government? My Lords, I do believe there exists such a conspiracy, and I attribute the existence of that conspiracy to the severe—the unconstitutional measures which Government have adopted; I attribute much of the danger and much of the disturbances which exist, to that most impolitic and lamentable measure, the recall of my Lord Fitzwilliam; I predicted it when I first heard of that measure, and I have been too true a prophet. The system which was continued subsequent to that event—a system of coercion, of cruelty, and of blood, has aggravated the evil, and driven the people to the most dangerous and unconstitutional steps; as means of supposed self-defence against the extreme severity of their Government. The learned Lord has thought proper to allude to newspapers and pamphlets, and argue from what they report as my speech, as if it were really mine. In one of those publications I am made to say what certainly I never said—that the troops in Ireland were taught to look on every Irishman as a rebel, and treat him accordingly. It would have been extremely absurd in me to have used such an expression, generally, of the troops in Ireland, for many of those troops are themselves Irish. What I said was “that the foreign troops which were sent to Ireland went thither under an unfortunate prejudice, which care had been taken to instil into them, that every man they met there was a rebel.” His Lordship is also pleased to say, that he would not, were he a general officer commanding the army in Ulster, be much obliged to me for saying that I was sure they did not act with their inclination in dis-

charging the late orders of Government. I am sure that these officers would find it an unpleasant duty were they bound to execute on the people a punishment legally inflicted. I am sure it must be still more so, where they are obliged to exert measures of extraordinary severity. I know too the delicate situation in which an officer is placed, when he is appointed to execute such orders as those under which General Lake and others acted.—I know how difficult it is in such circumstances to avoid being misled by the misstatements, the falsehood or the passions of others, to acts perhaps more severe than the truth of circumstances would warrant. With respect to the crimes which had been perpetrated in the county of Armagh, I did state in that speech that I believed the Government might have connived at the enormities which were then practised; and certainly those enormities committed against a class of men at that time known to be suspected by Government as hostile, and committed by the palpable connivance of the magistrates, might well justify the suspicion. Another of the measures which, taking my speech from the public prints, his Lordship asserts I attributed to Government, without any rational ground, was the publication of the *Union Star*. Without enquiring very minutely what those publications may have said of me, I will tell the learned Lord what I did say on that occasion: I did say that there was something so extravagantly absurd in that paper, something so inconsistent with its professed end, assassination, in describing publicly the names of the persons to be assassinated, by which they would naturally be put upon their guard, that I did think, and still retain that opinion, that it was as likely to be written by the enemies of that party on whom the imputation of it was to fall, as by the party itself.

But of the facts which I alluded to in the British House of Peers, as proofs of the extreme cruelty of the system which was carried on in Ireland, his Lordship denies the truth.—One of those facts was the strangling of one Shaw, in order to induce a confession, and his Lordship asserts that the rope *was only put round his neck*, but that he was not actually suspended. I repeat my former assertion, that he did actually undergo a process of strangulation, and that more than once! His Lordship has alluded to another part of my speech, and triumphantly denies that the curfew regulation was so rigorously enforced in a particular instance as I was supposed to have mentioned. In describing the severity of so arbitrary a measure, I took the liberty to suppose a case in which the enforcement of it would be attended with great hardship—the case was that of a parent, watching at night over his dying child, and obliged in such circumstances to put out his lights, by the order of a military patrol. It so happened that such a case as this did occur, though with some circumstances less aggravating than I had stated. The papers related this supposition of mine as if it had been a real fact I had been describing, and his Lordship supposing me convicted of error in this instance, labours to prove that therefore the other facts which I had related deserved no credit. But to pass over these less important points, and to come to the business before us. The learned Lord asks, whether I would oppose the slow process of laws to men banded in open rebellion? I will answer the question by bidding him shew me the rebellion: and while I ask him to do so, I cannot help expressing my regret that his Lordship deals such strong charges so liberally, and flings the epithet **REBEL** on the whole kingdom of Ireland. My Lords, before a nation be convicted of this heavy crime, and the punishment of it inflicted, there ought to be some proof—there ought to be the strongest proofs. Where are they? The learned Lord has brought the case of Colonel Haynes to justify the system which has been carried on in Ireland.

Ireland: Let me state to your Lordships what the case was; Isaac Haynes had been taken at Charlestown. He was suffered to go on parole to his own house. He was not contented with remaining a prisoner on parole—he voluntarily came forward and took the oath of allegiance—he soon began to intrigue, and obtained the command of Colonel of Militia in the enemy's army, he corrupted a battalion of our Militia which had been enrolled and attested; he was detected carrying them off at the very moment when the enemy were coming down upon us. He was tried by a Court of Enquiry, and executed. But it is necessary to inform your Lordships that this Court of Enquiry was the only criminal court known in the country; it was adopted from the example of the enemy, and it was so far superior to a court martial, that the officer who presided in it was responsible for every official act. But what analogy would the learned Lord draw between this case and any which can occur in Ireland? America was in a state of open rebellion, there was of course a complete dissolution of civil government. Does the noble Lord mean to say that such is the state of Ireland? He ought to know that in Ireland, in its present circumstances, martial law cannot exist in any part of it. Would he make the existence of a society of United Irishmen, however culpable or misdeeds they may be, a pretext for the suspension of civil government, and for laying the country prostrate under a military force? Tyranny could only reason thus! Tyranny, which never wants a colour to give a shade to its true designs. America was then in a state of rebellion. Ireland is still at peace, and yet I will venture to say, that there were fewer capital and summary executions in America, for twelve months of that period, than there have been in Ireland for the last year!

But the noble Baron near me has read to the House a shocking catalogue of the murders which have been perpetrated by the insurgents; he has mentioned among them the recent one of a generous and valiant officer; it is horrid indeed in all its circumstances, and I feel its full horror. But do these dreadful crimes furnish any argument on this question? If they do, I will find for the noble Baron another crime to match it, equally horrid; if he go on with his reckoning, I will accompany him and find him death for death! But surely we are not here to settle an account of blood. I wished to avoid the shocking recital, and did hope that at last a measure of conciliation and peace would have been received. I have been asked, why I did not here bring forward that list of cruelties and murders which I had mentioned in the other House of Peers? It was for this reason; because I thought it would have been for the benefit, for the honour of the country, if all that had passed had been forgotten. But let it not be supposed that the enormities which have been committed in this country are for ever buried in oblivion. If your Lordships shall not agree to this motion, I shall immediately move for a Committee to enquire into these crimes, and by what means they have been perpetrated and remain unpunished. If they are not denied, I will take them as admitted and lamented, for I sincerely hope they are so. But if they are denied, I will bring such proof to your bar as will extort belief, and the proceedings of the Committee on that subject shall convey the grievances and sufferings of the Irish people to the Throne.

The noble Lord asks whether I believe reform and emancipation will conciliate? I think they will. They will give to the people of this country every thing they can want; nor can I believe, that after what has been done by France in every nation in which she has had interference, there are any people in Ireland so mad, as to wish to see a French army in this country. The people of Ireland are not so dull. If any entertain a wish so
absurd,

absurd, it must be suggested by the delirium to which men are driven by the severe and unrelenting measures with which Government has pursued them. If that system be relaxed, and in the place of cruel and harsh measures, mild and conciliatory measures are adopted, the people will cease to be deluded. Grant them these two great objects of their pursuit, and even though attempts should still be made to mislead them, the means of doing so will be removed. But while pains and penalties are fixed at every corner of their path, can it be expected they should walk in them with patience and contentment?

But his Lordship asks you, can you believe that these men mean really nothing more than reform and emancipation? I ask what reason has the House to believe they have any other ultimate and remote object? The proof his Lordship gives you is a letter of Mr. Tone's, in which he declares when he is forming a constitution for the United Irishmen, that it is his private opinion, that all they are doing will be of little use, and that nothing short of a separation will be effectual. To this I answer, that it is apparent from the words of this letter itself, that Mr. Tone did not believe that his opinion was that of the persons to whom he addressed himself, nor can I think it reasonable to suppose when men profess to look for objects that are certainly useful to them, that it is not these but others that they aim at. Now can any man doubt whether the events that have taken place in Ireland for some years back, gave both the Catholic and Presbyterian an interest in both of these measures? The Presbyterian, when he heard it declared in Parliament itself that such was its constitution, that half a million had been expended to pacify one opposition, and that another half million would be wanted for the same purpose, would he not naturally conceive himself interested in obtaining a more economical representation of the people? And would it not be natural for the Catholic to suppose that, if any persons of his persuasion were in the Representative Body, so many hundred Catholic families would not have been driven from their homes and country, without meeting any help from the Magistrate or Legislature?

The learned Lord asked whether I have considered how far Catholic emancipation was practicable, consistently with the Constitution?—I answer, that I have: Catholic Emancipation is an ill-chosen phrase, at present used to signify the admission of the Catholic to a participation of the powers of the State. At present there is nothing which prevents a Catholic peer from taking his seat in this House, but the oath of supremacy—there is no principle of the Constitution which forbids it, and it deserved well to be considered whether the speculative religious opinions of a man should prevent his enjoyment of his civil rights—nothing more should be required on that head than such a security from a man as would prevent him from using the power with which he is entrusted to effect a subversion of the Constitution or Religion of the State.—As to those statements of the trade of Belfast which I had mentioned in my speech on this subject in Great Britain, and which the learned Lord has contradicted, I certainly did not take that statement from the Custom-house returns.—My information on that subject I derived partly from the communications of merchants whom I occasionally saw from that port, and who in those communications I have full certainty did not mean to deceive me.—It was a subject however in which error might take place, but I formed my opinion on the subject from something more certain than those loose communications.—I formed it from the great diminution which had taken place in the West India trade of that port. In the year between January 1795 and 1796, there sailed *twenty-five* ships from the port of Belfast; in the year
ending

ending January 1797, there were but *twelve*; and in the year ending January 1798, there was but *one*!

The learned Lord has thought fit when speaking of the United Irishmen, their Executive Directory, and their ambassadors, to say that his Lordship thought I was not unacquainted with them. I know not exactly whether he means by this—[The Chancellor interrupted to explain, he only meant that as the ambassadors at Lisle were certainly Belfast men, he probably might have known them, though certainly not in that capacity] I do think it is sometimes not very difficult to know the persons who transact the business of that society; for if I am rightly informed administration themselves have been consulting with one of those gentlemen, Mr. Neilson, about what terms would satisfy the people. I do certainly not disapprove of the measure, I think every measure which tends to conciliation and a final adjustment with the discontent of the country is useful—I only think it proves that government, though they have confined this very man for several months, so long indeed that I hear he will loose the use of some of his limbs, are now beginning to entertain less strong suspicions of his guilt. His Lordship concluded by recapitulating those of his arguments which urged the necessity of Catholic emancipation and reform; the situation of this country was not an ordinary situation, and therefore called for no ordinary measures. These measures were of such a kind that if not successful they would at least not injure, they would leave us where we were, which no doubt was a situation sufficiently disastrous; and even in the worst event would give to the House and the Government the consolation to reflect that they had done every thing which wisdom and duty had suggested to save the country.

Lord *Rossmore* spoke against the resolution, but in a tone so low we could not hear him.

Lord *Bellamont* was a friend to conciliatory measures; but inasmuch as the noble Earl had said, that emancipation and reform were two of the conciliatory measures which he meant to recommend, if that resolution passed, he could not support him, because it was a principle with him never to pledge himself to any measure until it was specifically before him.

At two o'clock in the morning the question was put—

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RESOLUTIONS

Come to in the Committee of WAYS and MEANS for raising the SUPPLY, on Wednesday, April 25, reported to the House and agreed to Thursday, April 26, 1798.

RESOLVED,

THAT, towards raising the supply granted to his Majesty, the sum of seventeen millions be raised by annuities.

That every contributor to the said sum of seventeen millions shall, for every one hundred pounds contributed and paid, be entitled to the principal sum of one hundred and fifty pounds in annuities, after the rate of three pounds per centum, to commence from the 5th day of January, 1798, and to be added to, and made one joint stock with, the three pounds per centum annuities, consolidated by the acts of the 25th, 28th, 29th, 32d, and 33d, years of the reign of his late Majesty King George the Second, and by several subsequent acts, and to be payable and transferable at the Bank of England, at the same time, and in the same manner, and subject to the like redemption by Parliament, as the said three pounds per centum consolidated annuities are payable and transferrable there.

That every contributor shall also be entitled to the further principal sum of fifty pounds in annuities, after the rate of three pounds per centum, to commence from the 5th day of April, 1798, and to be added to, and made one joint stock with, certain annuities, after the rate of three pounds per centum, which were reduced from four pounds to three pounds per centum per annum, by an act made in the 23d year of the reign of his late Majesty, and to be payable and transferrable at the Bank of England at the same time, and in the same manner, and subject to the like redemption by Parliament, as the said three pounds per centum consolidated annuities are payable and transferrable there.

That every such contributor shall likewise be entitled to an annuity of four shillings and eleven pence per centum, to commence from the 5th day of April, 1798, and to continue for the term of sixty-one years and three quarters, and then to cease, over and above the principal sums of one hundred and fifty pounds, after the rate of three pounds per centum per annum, and fifty pounds after the like rate of three pounds per centum per annum, in respect of every one hundred pounds to be contributed and paid towards raising the said sum of seventeen millions, which annuity of four shillings and eleven pence per centum, so to continue for sixty-one years and three quarters, shall be added to, and made one joint stock with, the annuities payable at the Bank of England, which, by several acts, were granted for the respective terms therein mentioned, and were, by the acts of the 4th, 20th, and 22d, years of the reign of his present Majesty, and by several subsequent acts, consolidated and made one joint stock of annuities, and shall be paid, payable, and transferrable, at the same time, and in the same manner, as the said annuities, so consolidated by the acts of the 4th, 20th, and 22d, years of the reign of his present Majesty, are payable and transferrable at the said Bank of England. That the several annuities after the rate of three pounds per centum, three pounds per centum, and four shillings and eleven pence per centum, so to be payable as aforesaid, shall be charged and chargeable upon, and payable out of, the consolidated fund. That every contributor shall, on or before the 30th day of this instant April, make a deposit of ten pounds per centum on such sum

as he or she shall chuse to subscribe, towards raising the said sum of seventeen millions, with the chief cashier or cashiers of the Governor and Company of the Bank of England, as a security for making the future payments: on or before the days or times hereinafter mentioned; that is to say,

- £. 15 per centum on or before the 23d day of May next.
- £. 15 per centum on or before the 22d day of June next.
- £. 15 per centum on or before the 20th day of July next.
- £. 15 per centum on or before the 23d day of August next.
- £. 10 per centum on or before the 21st day of September next.
- £. 10 per centum on or before the 23d day of October next, and
- £. 13 per centum on or before the 23d day of November next.

That all the monies, so to be received by the said cashier or cashiers of the Governor and Company of the Bank of England, shall be paid into the Receipt of the Exchequer, to be applied, from time to time, to such services as shall then have been voted by this House, in this Session of Parliament. That every contributor, who shall pay in the whole of his or her contribution money towards the said sum of seventeen millions at any time on or before the 22d day of October, 1798, shall be allowed an interest by way of discount, after the rate of five pounds per centum per annum, on the sum so advanced for completing the same to the 23d day of November, 1798.

That towards raising the supply granted to his Majesty, an additional duty of ten shillings be charged for every bushel of salt not being the product or manufacture of Great Britain, which shall be imported into Great Britain, after the 25th day of April, 1798, and after that rate for any greater or less quantity.

That an additional duty of ten shillings be charged for every bushel of salt, not being of the product or manufacture of Great Britain, which shall have been imported into Great Britain, and which, after the 25th day of April, 1798, shall be found in any ship or vessel in which the same shall have been imported, or in any lighter, or other vessel, after the unshipping and before the landing thereof, or upon any quay or wharf, upon the first landing thereof, or which, after the said 25th day of April, 1798, shall be in any cellar or warehouse in which the same shall have been put, subject and according to the rules, regulations, restrictions and provisions, contained and provided in any Act or Acts of Parliament, concerning the cellaring or warehousing of foreign or imported salt, and which shall not have been charged with the said additional duty, and after the same rate for any greater or less quantity.

That an additional duty of five shillings be charged for every bushel of salt and rock salt which, from and after the 25th day of April, 1798, shall be made at any salt work, or taken out of any salt pit or pits in Great Britain, and after that rate for any greater or less quantity.

That a duty of five shillings be charged for every bushel of salt and rock salt which shall have been made at any salt work, or taken out of any salt pit or pits, in Great Britain, and which, from and after the 25th day of April, 1798, shall be sold, delivered, or sent out of or from, any cellar, warehouse, storehouse, or other place, belonging to, or occupied by, the proprietor or proprietors, of any salt work or salt pit or pits, or which shall be sold, delivered, or sent out of or from any cellar, warehouse, storehouse, or other place, in which the same shall have been put before the duty now payable thereon shall have been paid, and which shall not have been charged with the said additional duty, and after the same rate for any greater or less quantity.

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That

That an additional duty of twenty shillings be charged for every hundred weight of salts, known or called by the name of Glauber or Epsom salts, which, from and after the 25th day of April, 1798, shall be made in Great Britain, and after that rate for any greater or less quantity.

That an additional duty of twenty shillings be charged for every hundred weight of salts, known or called by the name of Glauber or Epsom salts, which shall have been made in Great Britain, and which, from and after the 25th day of April, 1798, shall be sold, delivered, or sent out of or from any cellar, warehouse, storehouse, or other place, belonging to, or occupied by, the proprietor or proprietors, or occupier or occupiers, of any salt work, and which shall not have been charged with the said additional duty, and after the same rate for any greater or less quantity.

That an additional duty of five shillings be charged for every bushel of salt and rock salt which, from and after the 25th day of April, 1798, shall be imported from Scotland into England, accompanied with a certificate, from the proper officer, that it hath paid the duty now payable on salt imported from Scotland to England, and which shall not have been charged with the said additional duty, and after the same rate for any greater or less quantity.

That a drawback of the additional duty be granted upon the exportation of all salt made in Great Britain, rock salt only excepted.

That an additional excise duty of five pounds per centum be laid upon all tea of the price of two shillings and six pence per pound weight, or upwards, which shall be sold by the United Company of Merchants of England trading to the East Indies, after the 25th day of April, 1798, or which, having been so sold, shall be found in any warehouse belonging to the said United Company, after the said 25th day of April, 1798, to be computed upon the gross prices at which such tea shall be, or shall have been, sold.

That a drawback of the duty be granted upon the exportation of all such tea sold by the said United Company, and exported to any place where a drawback of the duty on tea is now allowed by law.

That every person who shall use or wear any armorial bearing or ensign, by whatever name the same shall be called, or shall be possessed of, and use, any carriage, or seal, or plate, or other article, on which the same shall be painted, marked, engraved, or affixed, shall previously enter his or her name, and annually take out a certificate thereof, in a manner to be prescribed.

That a stamp duty of two pounds and two shillings be charged upon every piece of vellum or parchment, or sheet or piece of paper, upon which any such certificate shall be engrossed, written, or printed, which shall be issued to any person keeping any coach, or other carriage, upon which any duty, under the management of the Commissioners for the Affairs of Taxes, is chargeable, and on which such armorial bearing or ensign shall be painted, marked, or affixed.

That a stamp duty of one pound and one shilling be charged upon every piece of vellum or parchment, or sheet or piece of paper, upon which any such certificate shall be engrossed, written, or printed, which shall be issued to any person not keeping any coach, or other carriage, upon which any duty, under the management of the Commissioners for the Affairs of Taxes, is chargeable, who shall be charged to the duties on inhabited houses, to the duties on houses, windows, or lights, by any act to be passed in the present session of Parliament.

That a stamp duty of ten shillings and six pence shall be charged upon every piece of vellum or parchment, or sheet or piece of paper, upon which

which any such certificate shall be engrossed, written, or printed, which shall be issued to any person not keeping any coach, or other carriage, upon which any duty, under the management of the Commissioners for the Affairs of Taxes, is chargeable, nor being charged to the duties on inhabited houses, or to the duties on houses, windows, or lights, by any act to be passed in the present session of Parliament.

PRISONERS OF WAR.

RESOLUTIONS presented by the **COMMITTEE** of the **HOUSE OF COMMONS** to the House, in May 1798, and ordered to be printed:

Resolved,

THAT it is the opinion of this Committee, that the charge of cruelty towards French Prisoners of War, which has been brought against this country, is utterly void of foundation; and appears to have been fabricated, and industriously supported by the enemy, for the double purpose of justifying their own ill-treatment of British prisoners, and of irritating the minds of their countrymen against this nation.

Resolved,

That it is the opinion of this Committee, that the British Prisoners of War confined in France, have been treated with a degree of rigour and inhumanity unwarranted by the usages of war among civilized nations.

Resolved,

That it is the opinion of this Committee, that the British Government has always manifested a desire of entering upon a cartel of Exchange on the most fair and liberal terms:—that it has even offered to accede to any which could be adopted, consistently with what is due to individuals and the nation; and that the obstacles to a negotiation have arisen from the extravagant and unprecedented demands of France, and from the refusal, on our part, to abandon the customary and acknowledged principle of the law of nations, which has been grossly violated in the person of Sir SIDNEY SMITH.

A SCHEDULE of the RATES and DUTIES payable for every Dwelling-house inhabited or to be inhabited within England and Scotland respectively, according to the number of Windows or Lights in each Dwelling-house.

NUMBER OF WINDOWS according to which the Dwelling-House shall be charged.	<i>Duties to be paid for every dwelling-house in England.</i>	<i>Duties to be paid for every dwelling-house in Scotland.</i>
	£. s. d.	£. s. d.
Not more than six windows or lights (except such inhabited dwelling-houses which shall be worth the rent of five Pounds by the year, and shall be charged by the rate or duty herein mentioned, according to the rate there- of)	— 4 6	— 2 6
Not more than six windows or lights, if of the value before-mentioned, and charged to the said rate or duty ac- cordingly	— 6 —	— 4 —
Seven windows or lights and no more	— 14 6	— 12 6
Eight windows or lights and no more	1 1 —	— 19 —
Nine windows or lights and no more	1 7 —	1 5 —
Ten windows or lights and no more	1 14 —	1 12 —
Eleven windows or lights and no more	2 4 —	2 3 —
Twelve windows or lights and no more	2 16 —	2 14 —
Thirteen windows or lights and no more	3 8 —	3 6 —
Fourteen windows or lights and no more	4 — —	3 18 —
Fifteen windows or lights and no more	4 12 —	4 10 —
Sixteen windows or lights and no more	5 4 —	5 2 —
Seventeen windows or lights and no more	5 16 —	5 14 —
Eighteen windows or lights and no more	6 8 —	6 6 —
Nineteen windows or lights and no more	7 — —	6 18 —
Twenty windows or lights and no more	7 12 —	7 10 —
Twenty-one windows or lights and no more	8 4 —	8 2 —
Twenty-two windows or lights and no more	8 16 —	8 14 —
Twenty-three windows or lights and no more	9 8 —	9 6 —
Twenty-four windows or lights and no more	10 — —	9 18 —
Twenty-five windows or lights and no more	10 12 —	10 10 —
Twenty-six windows or lights and no more	11 2 —	11 — —

Twenty seven

NUMBER OF WINDOWS according to which the dwelling-house shall be charged.	<i>Duties to be paid for every dwelling house in England.</i>	<i>Duties to be paid for every dwelling-house in Scotland.</i>
Twenty-seven windows or lights and no more	£. s. d. 11 12 —	£. s. d. 11 10 —
Twenty-eight windows or lights and no more	12 — —	12 — —
Twenty-nine windows or lights and no more	12 12 —	12 10 —
Thirty windows or lights and no more	13 2 —	13 — —
Thirty-one windows or lights and no more	13 12 —	13 10 —
Thirty-two windows or lights and no more	14 2 —	14 — —
Thirty-three windows or lights and no more	14 12 —	14 10 —
Thirty-four windows or lights and no more	15 2 —	15 — —
Thirty-five windows or lights and no more	15 12 —	15 10 —
Thirty-six windows or lights and no more	16 — —	15 18 —
Thirty-seven windows or lights and no more	16 8 —	16 6 —
Thirty-eight windows or lights and no more	16 16 —	16 14 —
Thirty-nine windows or lights and no more	17 4 —	17 2 —
Forty and not more than forty-four windows or lights	17 10 —	17 8 —
Forty-five and not more than forty-nine windows or lights	19 — —	18 18 —
Fifty and not more than fifty-four windows or lights	20 10 —	20 8 —
Fifty-five and not more than fifty-nine windows or lights	22 — —	21 18 —
Sixty and not more than sixty-four windows or lights	23 10 —	23 8 —
Sixty-five and not more than sixty-nine windows or lights	25 — —	24 18 —
Seventy and not more than seventy-four windows or lights	26 10 —	26 8 —
Seventy-five and not more than seventy-nine windows or lights	28 — —	27 18 —
Eighty and not more than eighty-four windows or lights	29 10 —	29 8 —
Eighty-five and not more than eighty-nine windows or lights	31 — —	30 18 —
Ninety and not more than ninety-four windows or lights	32 10 —	32 8 —
		Ninety-five

NUMBER OF WINDOWS according to which the dwelling-house shall be charged.	Duties to be paid for every dwelling-house in England.	Duties to be paid for every dwelling-house in Scotland.
Minety-five and not more than ninety-nine windows or lights	£. s. d. 34 — —	£. s. d. 33 18 —
One hundred and not more than one hun- dred and nine windows or lights	37 — —	36 18 —
One hundred and ten and not more than One hundred and nineteen windows or lights	40 — —	39 18 —
One hundred and twenty and not more than one hundred and twenty-nine win- dows or lights	43 — —	42 18 —
One hundred and thirty and not more than one hundred and thirty-nine windows or lights	46 — —	45 18 —
One hundred and forty and not more than one hundred and forty-nine windows or lights	49 — —	48 18 —
One hundred and fifty and not more than one hundred and fifty-nine windows or lights	52 — —	51 18 —
One hundred and sixty and not more than one hundred and sixty-nine windows or lights	55 — —	54 18 —
One hundred and seventy and not more than one hundred and seventy-nine windows or lights	58 — —	57 18 —
One hundred and eighty windows or lights, and upwards	61 — —	60 18 —
And for every such dwelling-house which shall contain more than one hundred and eighty windows or lights, for every window or light exceeding the number of one hundred and eighty	— 2 6	— 2 6

The said several rates and duties to be charged in respect of every inhabited dwelling-house, without any other further exemption being allowed than such are contained and expressly provided in and by this act, notwithstanding any former statute or statutes to the contrary.

A SCHEDULE of the RATES and DUTIES payable on all inhabited Dwelling-houses within and throughout Great Britain, according to the value thereof,

	In the Pound.
For every inhabited house in Great Britain, which, with the household and other offices, yards, and gardens therewith occupied, are or shall be worth the rent by the year, there be charged the yearly sums following; viz.	£. s. d.
Five pounds and under twenty pounds rent by the year	— — 3
Twenty pounds and under forty pounds rent by the year	— 2 —
Forty pounds rent by the year and upwards	— 1 3

The said last-mentioned rates and duties to be charged on the occupier or occupiers of every such inhabited house, and to be subject to all the exemptions contained in any act or acts in force, for granting the duties on inhabited houses hereby repealed, but to no other or further exemption whatever, notwithstanding any statute or statutes to the contrary.

NEW DUTIES

ON

EXPORTS AND IMPORTS.

The following is an accurate Statement of the New Duties proposed to be laid upon all Goods, Produce, and Manufactures imported into this Kingdom, and on certain Goods exported, to which the House of Commons have given their assent.

N. B. Up to No. 212, inclusive of the following enumerated Articles, there is an exception from the Duty in favour of Imports by the East India Company.

- 1 Upon every cwt. of bitter almonds 1s 10d
- 2 Upon every cwt. of Jordan almonds 5s 10d
- 3 Upon every cwt. of any other sort of almonds 2s 5d
- 4 Upon every cwt. of aloes epaticæ 3s
- 5 Upon every cwt. of aloes succotina 4s
- 6 Upon every cwt. of rock alum 11d
- 7 Upon every barrel of anchories, containing 16 lb. of fish 1s 2½d
- 8 Upon every cwt. of anniseeds 1s 10d
- 9 Upon every cwt. of angelica root 1s 6d.
- 10 Upon every cwt. of annatto 18s
- 11 Upon every cwt. of antimonium crudum 1s 2½d
- 12 Upon every cwt. of aqua fortis 2s 2½d
- 13 Upon every cwt. of argol 1s 10d
- 14 Upon every cwt. of arsenic 1s 10d
- 15 Upon every cwt. of pearl ashes 1s 4d
- 16 Upon every cwt. of pot ashes 1s 4d.
- 17 Upon every cwt. of assa-fœtida 4s 6d
- 18 Upon every lb. of artificial balsam 2½d
- 19 Upon every lb. of balsam copaiva 3d
- 20 Upon every lb. of natural balsam 1d
- 21 Upon every cwt. of barilla 1s 6d
- 22 Upon every lb. of cortex peruvianus or jesuit's bark 1d.
- 23 Upon every cwt. of oak bark 2d
- 24 Upon every cwt. of bay berries, 10d
- 25 Upon every cwt. of bound books 9s 4d.
- 26 Upon every cwt. of unbound books 4s 8d
- 27 Upon every gross of nest boxes containing twelve dozen nests, each nest containing eight boxes, 1s 10d
- 28 Upon every gross of pill boxes containing twelve dozen nests, each nest containing four boxes 1s 2½d
- 29 Upon every gross of sand boxes containing twelve dozen of boxes 4d
- 30 Upon every ton containing twenty hundred weight of Brazil wood 3s
- 31 Upon every cwt. of brimstone 9d
- 32 Upon every dozen pounds weight of rough or undress bristles 5d
- 33 Upon

- 33 Upon every cwt. of great bugle 7s
 34 Upon every cwt. of cambogium or gutta gambia 9s
 35 Upon every lb. of unrefined camphire 1½d
 36 Upon every lb. of refined camphire 1½d
 37 Upon every lb. of wax candles 1d
 38 Upon every lb. of cantharides 7d
 39 Upon every cwt. of capers 3s 6d
 40 Upon every lb. of cardemoms 1d
 41 Upon every cwt. of cassia fistula 1s 4d
 42 Upon every lb. of cassia lignea 1d
 43 Upon every lb. of castorum 2d
 44 Upon every cwt. of cheese 11d
 45 Upon every lb. of cinnamon 4d
 46 Upon every lb. of cloves 2½d
 47 Upon every lb. of cochineal 10d
 48 Upon every cwt. of cocoa nuts 2s 6d
 49 Upon every cwt. of coffee 3s 4d
 50 Upon every cwt. of green coperas 2d
 51 Upon every cwt. of white coperas 1s 6d
 52 Upon every ton, containing 20 cwt. of cordage 11 1s 8d
 53 Upon every cwt. of cork 7d
 54 Upon every cwt. of cream of tartar 3s 4d
 55 Upon every cwt. of currants 1s 2½d
 56 Upon every cwt. of down 6s 6d
 57 Upon every cwt. of elephants teeth 15s
 58 Upon every cwt. of feathers for beds 5s 4d
 59 Upon every cwt. of figs 1s 10d
 60 Upon every cwt. containing 20 cwt. of rough or undressed flax,
 21 8s 3d
 61 Upon every cwt. of fustick 7d
 62 Upon every cwt. of gall 4s 1d
 63 Upon every cwt. of gentian 1s 9d
 64 Upon every cwt. of ginger 1s 6d
 65 Upon every cwt. of ginseng 5s
 66 Upon every cwt. of gum arabic 3s
 67 Upon every cwt. of gum ammoniac 10s 10d
 68 Upon every cwt. of gum copal 7s 6d
 69 Upon every cwt. of gum guaci 7s
 70 Upon every cwt. of gum senega 4s 10d
 71 Upon every lb. of gum tragacanth 1½d
 72 Upon every cwt. of cow or ox hair 1s 6d
 73 Upon every lb. of horse hair 1d
 74 Upon every lb. of human hair 2d
 75 Upon every dozen of bast or straw hats or bonnets 3d
 76 Upon every dozen of chip, cane or horse hair caps or bonnets 3d
 77 Upon every ton containing 20 cwt. of rough or undressed hemp
 19s 3d
 78 Upon every horse hide 5½d
 79 Upon every lb. of loth hides 1d
 80 Upon every cow or ox hide 5d
 81 Upon every cwt. of indigo, the produce of the British plantations 15s
 82 Upon every cwt. of indigo, the produce of the United States of Ame-
 rica 10s
 83 Upon every cwt. of indico, of any other place 11 2s 6d
 APPEND. VOL. II. 84 Upon

- 84 Upon every ton, containing 20 cwt. of iron in bars or unwrought
10s 10d
- 85 Upon every cwt. of isinglass 1s 9d
- 86 Upon every cwt. of juniper berries 10d
- 87 Upon every cwt. of black lead 7d
- 88 Upon every cwt. of white lead 1s
- 89 Upon every 1000 lemons 5s 3d
- 90 Upon every half piece, containing six ells and a half of cambrics and French lawns, other than by the East India Company 1s 4d
- 91 Upon every 120 ells of Dutch barras and Hessian catinas, 1s 3d
- 92 Upon every 120 ells of packing-catinas, guttings, spruce, elbing, or Queensborough canvas 1s 6d
- 93 Upon every 120 ells of drailings and pack duck 5s
- 94 Upon every 120 ells of plain Flanders or Holland linen, not exceeding one ell or one eighth of an ell 14s 3d
- 95 Upon every 120 ells of German, Switzerland, East country (except Russia) and Silesia plain cloth, above the breadth of thirty-one inches and a half, 3s
- 96 Upon every 120 ells of German, Switzerland, East country (except Russia) and Silesia plain cloth, above the breadth of 31½ inches, and not exceeding 36 inches 6s 7d
- 97 Upon every 120 ells of German, Switzerland, East country (except Russia) and Silesia plain cloth, above 36 inches in breadth 10s 3d
- 98 Upon every piece, not exceeding eight yards in length, of Silesia and all other plain lawns (except French lawns) not bleached in Holland 4d
- 99 Upon every piece not exceeding eight yards in length, of Silesia, and all other plain lawns (except French lawns) bleached in Holland 3d
- 100 Upon every 120 ells of towelling or napkinning of the manufacture of Russia, not exceeding 22½ inches in breadth 1s 10d
- 101 Upon every 120 ells of narrow Russia linen not otherwise enumerated, not exceeding 22½ inches in breadth 1s 4½d
- 102 Upon every 120 ells of linen cloth and diaper of Russia, exceeding 22½ inches in breadth, and not exceeding 31½ inches 3s 7d
- 103 Upon every 120 ells of linen cloth and diaper of Russia, exceeding 31½ inches in breadth and not exceeding 38 inches 5s 1d
- 104 Upon every 120 ells of linen cloth and diaper of Russia exceeding 36 inches in breadth, and not exceeding 45 inches 6s 4d
- 105 Upon every 120 ells of linen cloth and diaper of Russia, exceeding 45 inches in breadth 10s 10d
- 106 Upon every ton containing 20 cwt. of logwood 7s 3d
- 107 Upon every lb. of mace 11d
- 108 Upon every cwt. of mullmadder 3d
- 109 Upon every cwt. of any other sort of madder 2s 2d
- 110 Upon every cwt. of madder roots 2s 3d
- 111 Upon every ton containing 20 cwt. of mahogany 10s 10d
- 112 Upon every lb. of mace 11d
- 113 Upon every 100 containing five score of mats, the produce of Russia 1s 10d
- 114 Upon every cwt. of molasses 1s
- 115 Upon every lb. of morels 2d
- 116 Upon every cwt. of myrrh 7s 6d
- 117 Upon every lb. of nutmegs 11d
- 118 Upon every bushel of chestnuts 3d
- 119 Upon every bushel of small nuts 5d

- 120 Upon every gallon of Castor Oil, 2d.
 121 Upon every ton, containing 252 gallons, of ordinary Oil of Olives,
 1l. 17s. 2d.
 122 Upon every 100 gallons of Salad Oil, 12s.
 123 Upon every ton, containing 252 gallons of Spermaceti Oil, 2l. 8s.
 124 Upon every ton, containing 252 gallons of Train Oil, or Blubber
 or Fish Oil, not otherwise enumerated, 18s. 20d.
 125 Upon every cwt. of Oil of Turpentine or Linseed, 1s. 10d.
 126 Upon every lb. of Opium, 1s. 2½d.
 127 Upon every 1000 of Oranges, 3s 7d.
 128 Upon every cwt. of Orchella, 4s. 2d.
 129 Upon every cwt. of Pearl Barley, or Barley-hulled, 7d.
 130 Upon every cwt. of Long Peppers, 3s. 3d.
 131 Upon every Picture of four feet square and upwards, 2l.
 132 Upon every Picture of two feet square and under four feet, 2l. 6s. 8d.
 133 Upon every Picture under two feet square, 13s. 4d.
 134 Upon every cwt. of Pimento, 1s. 9d.
 135 Upon every last, containing 18 barrels, each barrel not exceeding
 3½ gallons, of Pitch 3s.
 136 Upon every ounce Troy of Plate wrought of Gold, 4s. 10d.
 137 Upon every ounce Troy of Silver Plate ungilt, 2½d.
 138 Upon every ounce Troy of Silver Plate, part gilt, 3d.
 139 Upon every ounce Troy of Silver Plate, gilt 3½d.
 140 Upon every cwt. of dried Plumbe, 5s.
 141 Upon every cwt. of Prunes, 1s.
 142 Upon every lb. of Quicksilver, 2½d.
 143 Upon every 1000 of Goose Quills, 2½d.
 144 Upon every Ton, containing 20 cwt. of Rags fit only to make Paper,
 13s. 3d.
 145 For every cwt. of Denis Raisins, 1s. 10d.
 146 Upon every cwt. of Faro Raisins, 1s. 2d.
 147 Upon every cwt. of Lipra or Helvidere Raisins, 1s. 2d.
 148 Upon every cwt. of Lania Raisins, 1s. 6d.
 149 Upon every cwt. of Snyana Raisins, 8d.
 150 Upon every cwt. of Raisins of the Sun, 2s. 3d.
 151 Upon every cwt. of all other Raisins, not otherwise enumerated,
 1s. 1d.
 152 Upon every lb. of Rhubarb, 6d.
 153 Upon every cwt. of Rice, 6d.
 154 Upon every cwt. of Rosin, 3d.
 155 Upon every 100 lb. of Sacrum Saturni, 4s.
 156 Upon every cwt. of Safflower, 4s.
 157 For every lb. of Saffron, 1s.
 158 Upon every Wey, containing 40 bushels of Salt, 9½d.
 159 Upon every cwt. of Salt Petre, 2s. 12½d.
 160 Upon every 100 lb. of Sarsaparilla, 5s.
 161 Upon every lb. of Scammony, 7½d.
 162 Upon every cwt. of Carraway Seed, 7d.
 163 Upon every cwt. of Clover Seed, 3½d.
 164 Upon every bushel of Linseed, 1d.
 165 Upon every cwt. of Mustard Seed 5d.
 166 Upon every cwt. of Onion Seed 3s. 11d.
 167 Upon every Quarter, containing 8 bushels of Rape Seed 1s. 2d.
 168 Upon every lb. of Sena, 1d.

- 169 Upon every cwt. of Sturmark 3d
- 170 Upon every lb. containing 16 ounces of raw silk of Turkey 5½d
- 171 Upon every lb. containing 16 ounces of raw silk of any other country 6d.
- 172 Upon every lb. containing 16 ounces of thrown silk, 7d
- 173 Upon every lb. containing 16 ounces of waste silk, 1½d
- 174 Upon every 100, containing five score, of kid skins in the hair, undressed 3s 2d
- 175 Upon every 100, containing six score, of lamb skins in the wool, undressed 3s 2d
- 176 Upon every cwt of smalts 4s
- 177 Upon every gallon of Brandy 2½d
- 178 Upon every gallon of Geneva 1½d
- 179 Upon every 100 gallons of Rum 1s
- 180 Upon every gallon of all other spirits, not otherwise enumerated or described 2½d
- 181 Upon every lb. of succides 1½d
- 182 Upon every cwt. of sugar 1s 10d
- 183 Upon every cwt. of tallow 1s 6d
- 184 Upon every cwt. of tamarinds 10d
- 185 Upon every last containing 12 barrels, each barrel not exceeding 31½ gallons of tar 7s 3d
- 186 Upon every cwt. of tobacco 1s 6d
- 187 Upon every lb. of tertonshell 4d
- 188 Upon every ton, containing 20 cwt. of tow 11s 5d
- 189 Upon every lb. of truffles 2½d
- 190 Upon every 100 lb. of turmeric 2s 3d
- 191 Upon every cwt. of common turpentine 5½d
- 192 Upon every cwt. of Valonia 9d
- 193 Upon every 100 lb. of common verdigrise 6s 9d
- 194 Upon every 100 lb. of chrysalised verdigrise 7s 6d
- 195 Upon every cwt. of vermillion 3d
- 196 Upon every cwt. of bees wax, white or manufactured 6s
- 197 Upon every cwt. of bees wax unmanufactured 4s 9d
- 198 Upon every ton, containing 250 gallons of French wine 3l 10s 6d
- 199 Upon every ton, containing 252 gallons of Madeira wine 3l 1s
- 200 Upon every ton, containing 252 gallons of Portugal wine 1l 6s 6d.
- 201 Upon every ton, containing 252 gallons of Rhensish, German, or Hungarian wine 3l 18s
- 202 Upon every ton, containing 252 gallons of Spanish wine 1l 11s.
- 203 Upon every ton, containing 252 gallons of wine, not otherwise enumerated or described 1l 11s
- 204 Upon every cwt. of cotton wool, of the growth or production of Turkey 4s.
- 205 Upon every cwt. of cotton wool of the growth or production of any of the British colonies 5s 3d
- 206 Upon every cwt. of cotton wool, of the growth or production of any other country or place 7s 6d
- 207 Upon every cwt. of Spanish Wool 10s.
- 208 Upon every cwt. of Cotton Yarn 7s.
- 209 Upon every lb. of Mohair Yarn 2d.
- 210 Upon every cwt. of Raw Linen Yarn 3s.
- 211 Upon every cwt. of Yellow Berries 4s. 1d.

212 Upon every cwt. of the true and real value of all other Goods, Wares, and Merchandize whatever, not otherwise particularly enumerated or described (except from Ireland) 3l.

213 For every 100l. of the true and real value of all plain white Callicoes, plain white Dimity, plain Mullins, Nanquin Cloth, Mullins or white Callicoes, flowered or striped Cotton Manufactures, not otherwise enumerated or described, and all Goods, Wares, and Merchandize prohibited to be worn or used in Great Britain, imported for Exportation only, according to the Gross Price at which the same shall have been publicly sold at the Sales of the East India Company, without any deduction therefrom, except so much as the Duties of Customs due and payable on such Goods respectively shall amount to 3l.

214 Upon every 100l. of the true and real value of all Sugar imported into this kingdom, according to the Gross Price at which the same shall be publicly sold at the Sales of the East India Company 3l.

215 Upon every 100l. of the true and real value of all Indigo and Cotton Wool imported into this kingdom, according to the Gross Price at which the same shall be publicly sold at the Sales of the East India Company 3l.

216 Upon every cwt. of Coffee imported into this kingdom by the East India Company 3s. 4d.

217 Upon every cwt. of Cocoa Nuts imported into this kingdom by the East India Company 2s. 9d.

218 Upon every cwt. of Sugar unrefined, not having been imported by the East India Company, and exported from this kingdom (except to Ireland) 1s. 6½d.

219. Upon every cwt. of refined Sugar, called Bastard, and Ground or Powdered Sugar, and refined Loaf Sugar broke in pieces, and all Sugar called Candy, exported from this kingdom (except to Ireland) 1s. 6½d.

220 Upon every cwt. of all other refined Sugar, exported from this kingdom (except to Ireland) 2s. 6d.

221 Upon every cwt. of Coffee, not having been imported by the East India Company, exported from this kingdom (except to Ireland) 1s. 9d.

222 Upon every cwt. of Cocoa Nuts, not having been imported by the East India Company, exported from this kingdom (except to Ireland) 2s. 3d.

223 Upon every 100l. of the true and real value of all Goods, Wares, and Merchandize, the growth, produce, or manufacture of Great Britain (except Refined Sugar) exported from this kingdom (except to Ireland and the East Indies) 1l. 10s.

224 Upon every 100l. of the true and real value of all Goods, Wares, and Merchandize, the growth, produce, or manufacture of Great Britain (except Refined Sugar) exported from this kingdom to any part of Europe (except to Ireland) 10s.

225 Upon every 100l. of the true and real value of all Goods, Wares, and Merchandize, the growth, produce, or manufacture of Great Britain (except Refined Sugar) exported from this kingdom (except to Europe, and to any port or place within the limits of the charters granted to the East India Company) 1l.

226 Upon every cwt. of Cocoa Nuts, having been imported into this kingdom by the East India Company, and which shall be imported from this kingdom 2s. 3d.

227 Upon every cwt of Coffee, having been imported into this kingdom by

by the East India Company, and which shall be exported from this kingdom 2s. 9d.

228 Upon every cwt. of the true and real value of all Sugar, having been imported into this kingdom by the East India Company, according to the Gross Price at which such Sugar shall have been sold at the public sales of the said Company, and which shall be exported from this kingdom 2s. 10d.

229 Upon every ton burthen of every ship or vessel entering outwards or inwards (except in ballast) to or from Ireland, the islands of Guernsey, Jersey, Sark, Alderney, and Man, and the Greenland Seas 6d.

230 Upon every ton burthen of every ship or vessel entering outwards or inwards (except in ballast) to or from any port or place within the Straights of Gibraltar 1s. 6d.

231 Upon every ton burthen of every ship or vessel entering outwards or inwards (except in ballast) to or from any port or place in Russia, or within the Baltic Sea, 1s. 6d.

232 Upon every ton burthen of every ship or vessel entering outwards or inwards (except in ballast) to or from any other port or place in Europe 1s.

233 Upon every ton burthen of every ship or vessel entering outwards or inwards (except in ballast) to or from any other port or place within the limits of the Charters granted to the United Company of Merchants of England trading to the East Indies 3s.

234 Upon every ton burthen of every ship or vessel entering outwards or inwards (except in ballast) to or from the Cape of Good Hope 2s. 6d.

235 Upon every ton burthen of every ship or vessel entering outwards or inwards (except in ballast) to or from any port or place in Africa, not otherwise enumerated or described 2s.

236 Upon every ton burthen of every ship or vessel entering outwards or inwards (except in ballast) to or from the Island of Newfoundland, the Islands of Cape Breton and St. John, and the Coast of Labrador 6d.

237 Upon every ton burthen of every ship or vessel entering outwards or inwards (except in ballast) to or from any port place in the United States of America, any British island, colony, or plantation in America, or any other part of America, not otherwise described 2s.

238 That the said Duties shall be levied, collected, and paid, over above all other Duties now paid or payable.

END OF APPENDIX.

The following **BILLS** received the Royal Assent in the course of the Session, commencing Thursday, November 2, 1797, and ending June 22, 1798; and were all the **PUBLIC ACTS** of that period.

Nov. 30, 1797. **A**N A&T for continuing, and granting to his Majesty, certain duties upon Malt, Mum, Cyder, and Perry, for the service of the year one thousand seven hundred and ninety-eight.

An A&T for granting an aid to his Majesty, by a Land Tax to be raised in Great Britain, for the service of the year one thousand seven hundred and ninety-eight.

An A&T to amend and continue, until one month after the conclusion of the present war, the provisions contained in an A&T passed in the Session of Parliament of the thirty-sixth and thirty-seventh years of his present Majesty, chapter ninety-one, *videlicet*, on the twenty second of June, one thousand seven hundred and ninety-seven, for the Restriction of Payments of Cash by the Bank.

An A&T to continue until the expiration of thirty days after the commencement of the next Session of Parliament, an A&T passed in the Session of Parliament, of the thirty-sixth and thirty-seventh years of his present Majesty, chapter one hundred and thirty-seven, *videlicet*, on the twentieth of July, one thousand seven hundred and ninety-seven, intituled, "An A&T to continue an A&T made in this present Session of Parliament," intituled, "An A&T to revive and continue for a limited time, and amend an A&T passed in the present Session of Parliament, intituled an A&T to allow the Bank, and certain Banking Companies, in that part of Great Britain, called Scotland, to issue Notes for sums under a certain amount, for a limited time, and for indemnifying all persons, who have issued Notes for small sums of money in that part of the United Kingdom, for a time limited."

An A&T to continue till the first day of March, one thousand seven hundred and ninety-eight, an A&T passed in the Session of Parliament, of the thirty-sixth and thirty-seventh years of his present Majesty, chapter seventy-two, *videlicet*, on the sixth of June, one thousand seven hundred and ninety-seven, for prohibiting the importation of Cambricks and French Lawns, into this kingdom, not being of the manufacture of Ireland, except for the purpose of being warehoused for exportation.

December 2, 1797. An A&T to continue, until the expiration of six weeks after the commencement of the next Session of Parliament, an A&T passed in the Session of Parliament, holden in the thirty-sixth and thirty-seventh years of his present Majesty, chapter seventy, *videlicet*, on the sixth day of June, one thousand seven hundred and ninety-seven, for the better prevention and punishment of attempts to seduce persons, serving in his Majesty's forces, by sea or land, from their duty and allegiance to his Majesty, or to incite them to mutiny and disobedience.

An A&T to continue, until the expiration of six weeks, after the commencement of the next Session of Parliament, two several acts, passed in the Session of Parliament, holden in the thirty-sixth and thirty-seventh years of his present Majesty, the one chapter thirty-two, on the tenth day of March; and the other chapter sixty-one, on the twenty fifth day of May, one thousand seven hundred and ninety-seven, for suspending for a limited time, the operation of certain acts, made in the sixteenth and seventeenth years of the reign of his present Majesty, for restraining the negotiation

negotiation of Promissory Notes, and Bills of Exchange, under a limited sum, within that part of Great Britain called England.

December 30, 1797. An Act for raising a certain sum of Money by Loans or Exchequer Bills, for the service of the year one thousand seven hundred and ninety-eight.

An Act to revive and continue, until the first day of March, one thousand seven hundred and ninety-eight, an Act passed in the Session of Parliament, holden in the thirty-sixth and thirty-eighth years of his present Majesty's chapter, one hundred and two, *videlicet*, on the thirtieth day of July; one thousand seven hundred and ninety-seven, for granting to his Majesty, additional duties on Distilleries, in the several parts of the Highlands of Scotland, therein particularly described, for a limited time, and for regulating the Duties on Distilleries, in the respective districts in Scotland.

An Act for the regulation of his Majesty's Marine Forces while on shore, so continue until the twenty-fifth day of March, one thousand seven hundred and ninety-nine.

An Act to continue, until the expiration of six weeks, from the commencement of the next session of Parliament, so much of an Act, passed in the session of Parliament of the thirty-sixth and thirty-seventh years of his present Majesty, chapter seven, *videlicet*, on the eleventh of November, one thousand seven hundred and ninety-six, as relates to the exportation, and carrying coastwise of Wheat and Rye, and to the importation of several articles of Provision.

An Act to continue, until the expiration of six weeks after the commencement of the next session of Parliament, an Act passed in the thirty-fifth year of his present Majesty, chapter fifteen, *videlicet*, on the twentieth day of March, one thousand seven hundred and ninety-five, and also an Act passed in the same year, chapter eighty, *videlicet*, on the twenty-second day of May, one thousand seven hundred and ninety-five, and also another Act passed in the thirty-sixth year of his present Majesty, chapter seventy-six, *videlicet*, on the fourteenth day of May, one thousand seven hundred and ninety-six, relating to the admission of certain articles of Merchandise in neutral ships, and the issuing of Orders in Council for that purpose; and to continue for the same period, an Act passed in the session of Parliament, holden in the thirty-sixth and thirty-seventh years of his present Majesty, chapter twenty-one, *videlicet*, on the 28th day of December, one thousand seven hundred and ninety-six, authorising his Majesty to make regulations respecting the trade and commerce to and from the Cape of Good Hope.

An Act to indemnify such persons as have omitted to qualify themselves for officers and employments, and to indemnify Justices of the Peace, or others, who have omitted to register or deliver in their qualifications within the time directed by law, and for extending the time limited for those purposes until the twenty-fifth of December, one thousand seven hundred and ninety-eight, to indemnify Members and Officers in Cities, Corporations, and Borough Towns, whose admissions have been omitted to be stamped according to law, or having been stamped, have been lost or mislaid, and for allowing them until the twenty-fifth day of December, one thousand seven hundred and ninety-eight; to provide admissions duly stamped, to permit such persons as have omitted to make and file affidavits of the execution of Indentures of the Clerks to Attornies and Solicitors, to make and file the same, on or before the fifth day of Michaelmas Term, one thousand seven hundred and ninety-eight; and indemnifying Deputy Lieutenants and Officers of the Militia, who have neglected to transmit

transmit descriptions of their qualifications to the Clerk of the Peace; within the time directed by law, for extending the time directed for that purpose, until the first day of September, one thousand seven hundred and ninety-eight.

An Act to give further time for executing and for enlarging the power of an act made in the last Session of Parliament, entitled "An Act to raise and embody a Militia Force, in that part of the kingdom of Great Britain, called *Scotland*."

An act to amend an act, made in the twenty-ninth year of the reign of his late Majesty King George the Second, intituled, an "Act to enable his Majesty to grant commissions to a certain number of foreign Protestants, who have served abroad as officers or engineers, to act and rank as officers or engineers, in *America* only, under certain restrictions and qualifications."

An Act to amend two acts, made in thirty-first and thirty-third years of the reign of his present Majesty, for taking down, and rebuilding the parish church of All Saints, within the town and county of the town of Southampton.

January 12, 1798. An Act for granting to his Majesty an aid and contribution for the prosecution of the war.

An Act for allowing, during the continuance of the present war, a certain proportion of the men, raised in pursuance of two acts of the last Session of Parliament for augmenting the Militia to enlist into his Majesty's other forces, and to serve until six months after the conclusion of a general peace.

An Act for continuing for twenty-one years, and from thence to the end of the then next Session of Parliament, or the term, and altering and enlarging the powers of two several acts, one passed in the twenty-fourth year of the reign of his late Majesty, King George the Second, and the other in the sixteenth year of his present Majesty, so far as the same relate to repairing the road from Tadcaster to Halton Dyal, in the West Riding of the county of York.

February 20, 1798. An Act to enable his Majesty to order out a certain proportion of the Supplementary Militia, and to provide for the necessary augmentation of men in the several companies of Militia, by incorporating the Supplementary Militia therewith.

March 9, 1798. An Act for raising a further sum of money, by Loans or Exchequer Bills, for the service of the year one thousand seven hundred and ninety-eight.

An Act for settling and securing a certain annuity on *John Earl Saint Vincent*, and the two next persons to whom the title of Earl Saint Vincent shall descend, in consideration of the eminent service performed by the said *John Earl Saint Vincent* to his Majesty and the Public.

An Act for settling and securing a certain annuity on *Adam Lord Viscount Duncan*, and the two next persons to whom the title of Viscount Duncan shall descend, in consideration of the eminent service performed by the said *Adam Lord Viscount Duncan*, to his Majesty and the Public.

An Act for punishing Mutiny and Desertion, and for the better payment of the army and their quarters.

An Act to repeal the Duties on Gold and Silver Plate used in Watch Cases.

An Act to permit, during the continuance of the present war, the importation of Salt from Portugal in neutral ships.

An Act for rectifying mistakes in the names of several of the Commissioners appointed, by an Act made in the last Session of Parliament, to put in execution an Act made in the same Session, intituled, "An Act for
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negotiation of Promissory Notes, and Bills of Exchange, under a limited sum, within that part of Great Britain called England.

December 30, 1797. An Act for raising a certain sum of Money by Loans or Exchequer Bills, for the service of the year one thousand seven hundred and ninety-eight.

An Act to revive and continue, until the first day of March, one thousand seven hundred and ninety-eight, an Act passed in the Session of Parliament, holden in the thirty-sixth and thirty-eighth years of his present Majesty's chapter, one hundred and two, *videlicet*, on the nineteenth day of July, one thousand seven hundred and ninety-seven, for granting to his Majesty, additional duties on Distilleries; in the several parts of the Highlands of Scotland, therein particularly described, for a limited time, and for regulating the Duties on Distilleries, in the respective districts in Scotland.

An Act for the regulation of his Majesty's Marine Forces while on shore, so continue until the twenty-fifth day of March, one thousand seven hundred and ninety-nine.

An Act to continue, until the expiration of six weeks, from the commencement of the next session of Parliament, so much of an Act, passed in the session of Parliament of the thirty-sixth and thirty-seventh years of his present Majesty, chapter seven, *videlicet*, on the eleventh of November, one thousand seven hundred and ninety-six, as relates to the exportation, and carrying coastwise of Wheat and Rye, and to the importation of several articles of Provision.

An Act to continue, until the expiration of six weeks after the commencement of the next session of Parliament, an Act passed in the thirty-fifth year of his present Majesty, chapter fifteen, *videlicet*, on the sixteenth day of March, one thousand seven hundred and ninety-five, and also an Act passed in the same year, chapter eighty, *videlicet*, on the twenty-second day of May, one thousand seven hundred and ninety-five, and also another Act passed in the thirty-sixth year of his present Majesty, chapter seventy-six, *videlicet*, on the fourteenth day of May, one thousand seven hundred and ninety-six, relating to the admission of certain articles of Merchandise in neutral ships, and the issuing of Orders in Council for that purpose; and to continue for the same period, an Act passed in the session of Parliament, holden in the thirty-sixth and thirty-seventh years of his present Majesty, chapter twenty-one, *videlicet*, on the 28th day of December, one thousand seven hundred and ninety-six, authorising his Majesty to make regulations respecting the trade and commerce to and from the Cape of Good Hope.

An Act to indemnify such persons as have omitted to qualify themselves for officers and employments, and to indemnify Justices of the Peace, or others, who have omitted to register or deliver in their qualifications within the time directed by law, and for extending the time limited for those purposes until the twenty-fifth of December, one thousand seven hundred and ninety-eight, to indemnify Members and Officers in Cities, Corporations, and Borough Towns, whose admissions have been omitted to be stamped according to law, or having been stamped, have been lost or mislaid, and for allowing them until the twenty-fifth day of December, one thousand seven hundred and ninety-eight, to provide admissions duly stamped, to permit such persons as have omitted to make and the affidavits of the execution of Indentures of the Clerks to Attornies and Solicitors, to make and file the same, on or before the fifth day of Michaelmas Term, one thousand seven hundred and ninety-eight; and indemnifying Deputy Lieutenants and Officers of the Militia, who have neglected to transmit

transmit descriptions of their qualifications to the Clerk of the Peace, within the time directed by law, for extending the time directed for that purpose, until the first day of September, one thousand seven hundred and ninety-eight.

An Act to give further time for executing and for enlarging the power of an act made in the last Session of Parliament, entitled "An Act to raise and embody a Militia Force, in that part of the kingdom of Great Britain, called *Scotland*."

An act to amend an act, made in the twenty-ninth year of the reign of his late Majesty King George the Second, intituled, an "Act to enable his Majesty to grant commissions to a certain number of foreign Protestants, who have served abroad as officers or engineers, to act and rank as officers or engineers, in *America* only, under certain restrictions and qualifications."

An Act to amend two acts, made in thirty-first and thirty-third years of the reign of his present Majesty, for taking down, and rebuilding the parish church of All Saints, within the town and county of the town of Southampton.

January 12, 1798. An Act for granting to his Majesty an aid and contribution for the prosecution of the war.

An Act for allowing, during the continuance of the present war, a certain proportion of the men, raised in pursuance of two acts of the last Session of Parliament for augmenting the Militia to enlist into his Majesty's other forces, and to serve until six months after the conclusion of a general peace.

An Act for continuing for twenty-one years, and from thence to the end of the then next Session of Parliament, or the term, and altering and enlarging the powers of two several acts, one passed in the twenty-fourth year of the reign of his late Majesty, King George the Second, and the other in the sixteenth year of his present Majesty, so far as the same relate to repairing the road from Tadcaster to Halton Dyal, in the West Riding of the county of York.

February 20, 1798. An Act to enable his Majesty to order out a certain proportion of the Supplementary Militia, and to provide for the necessary augmentation of men in the several companies of Militia, by incorporating the Supplementary Militia therewith.

March 9, 1798. An Act for raising a further sum of money, by Loans or Exchequer Bills, for the service of the year one thousand seven hundred and ninety-eight.

An Act for settling and securing a certain annuity on *John Earl Saint Vincent*, and the two next persons to whom the title of Earl Saint Vincent shall descend, in consideration of the eminent service performed by the said *John Earl Saint Vincent* to his Majesty and the Public.

An Act for settling and securing a certain annuity on *Adam Lord Viscount Duncan*, and the two next persons to whom the title of Viscount Duncan shall descend, in consideration of the eminent service performed by the said *Adam Lord Viscount Duncan*, to his Majesty and the Public.

An Act for punishing Mutiny and Desertion, and for the better payment of the army and their quarters.

An Act to repeal the Duties on Gold and Silver Plate used in Watch Cases.

An Act to permit, during the continuance of the present war, the importation of Salt from Portugal in neutral ships.

An Act for rectifying mistakes in the names of several of the Commissioners appointed, by an Act made in the last Session of Parliament, to put in execution an Act made in the same Session, intituled, "An Act for
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granting an aid to his Majesty by a Land Tax to be raised in Great Britain for the service of the year one thousand seven hundred and ninety-seven, and for appointing other Commissioners, together with those named in the first mentioned Act, to put in execution an Act of this Session of Parliament, for granting an aid to his Majesty by a Land Tax to be raised in Great Britain for the service of the year one thousand seven hundred and ninety-eight, and for indemnifying such persons as have acted as Commissioners for executing the said Act, for granting an aid to his Majesty by a Land Tax to be raised in Great Britain for the service of the year one thousand seven hundred and ninety-seven.

An Act for continuing, for twenty-one years, and from thence to the end of the then next Parliament, the term, and altering and enlarging the powers of two several Acts, the one made and passed in the twenty fifth year of the reign of his late Majesty King George the Second, and the other in the seventeenth year of the reign of his present Majesty, for repairing the roads from the town of Leeds, through Harwood to the south-west corner of the inclosures of Harrogate, and from thence in two branches (one through Ripley, over Burage Green, and the other through Knaresborough, and Borough-bridge) to Ripon, and from thence to the first rill of water, or water-course, on Hutton Moor, in the county of York; and for repairing the sloughs or ruts on the said Moor, so far as the same relate to the road leading from the south-west corner of the inclosure of Harrogate (through Knaresborough) to Borough-bridge.

An Act for continuing for the term of twenty-one years, and from thence to the end of the next Session of Parliament, the term and altering and enlarging the powers of an Act passed in the fifth year of the reign of his present Majesty, for repairing the road from Chatteris Ferry to Hammonds Eaw, and Somersham Bridge, and for amending and widening the road from Somersham Bridge, to the Sheep Market in St. Ives, and also the road branching out of the said road near Stocks Bridge, through Needingworth, to Earith, in the city of Huntingdon.

April 5, 1798. An Act to revive and continue, until the first day of May, one thousand seven hundred and ninety-eight, an Act, passed in the Session of Parliament, holden in the thirty-sixth and thirty-seventh years of his present Majesty, chapter one hundred and two, *videlicet*, on the nineteenth day of July, one thousand seven hundred and ninety-seven for granting to his Majesty additional duties on distilleries in the several parts of the Highlands of Scotland, therein particularly described, for a limited time; and for regulating the duties on distilleries in the respective districts of Scotland.

An Act to enable his Majesty more effectually to provide for the defence and security of the realm, during the present war; and for indemnifying persons who may suffer in their property by such measures, as may be necessary for that purpose.

An Act to continue until the twenty-fifth day of March, one thousand seven hundred and ninety-nine, an Act passed in the Session of Parliament, holden in the thirty-sixth and thirty-seventh years of his present Majesty, chapter seventy-sixth, *videlicet*, on the sixth day of June, one thousand seven hundred and ninety-seven, for disallowing the bounty on sail-cloth or canvas, the manufacture of Great Britain exported to Ireland.

An Act to continue several laws relating to the granting a bounty on certain species of British and Irish Linens exported, and taking off the duties on the importation of foreign raw linen yarns made of flax, until the twenty-fourth day of June, one thousand seven hundred and ninety-nine, to the permitting the exportation of tobacco-pipe clay, from this kingdom to the British sugar colonies or plantations in the West Indies, until

until the twenty-fourth day of June, one thousand eight hundred and two to the allowing the importation of Rape Seed, and other seeds used for extracting oil, whenever the prices of middling British Rape Seed, and other seeds used, shall be above a certain limit under the twenty-fourth day of June, one thousand seven hundred and ninety-nine; to the further support and encouragement of the fisheries carried on in the Greenland Seas, and Davis's Straights, until the twenty-fifth day of December, one thousand seven hundred and ninety-nine, to the more effectual encouragement of the manufactures of Flax and Cotton in Great Britain, until the twenty-fourth day of June, one thousand seven hundred and ninety-nine, to the ascertaining the strength of spirits, by Clark's hydrometer, until the first day of June, one thousand eight hundred and one: and so much of an Act made in the thirty-fifth year of the reign of his present Majesty, for better securing the duties on Glass, as was to continue for a limited time, until the fifth day of July, one thousand seven hundred and ninety-nine.

An Act to revive and continue, until the conclusion of the present war, an Act passed in the Session of Parliament, holden in the thirty-sixth and thirty-seventh years, of his present Majesty, chapter one hundred and twenty-five, *videlicet*, on the nineteenth day of July, one thousand seven hundred and ninety-seven, for authorizing his Majesty to permit the exportation of an additional quantity of wheat, and other articles to the islands of Guernsey, Jersey, and Alderney.

An Act to prevent, during the war, persons residing or being in Great Britain from advancing money, or effects for the purchase, or on the credit of debts owing to the Government of the United Provinces, or any bodies politic, or corporate, or any persons within the said provinces, without licence for that purpose; and for extending the Provisions of an Act made in the thirty-third year of the reign of his present Majesty, more effectually to prevent, during the present war between Great Britain and France, all traitorous correspondence with, or aid or assistance being given to, his Majesty's enemies, to the said United Provinces, and to the persons exercising the powers of Government therein, and also to the persons, territories, and places under Government.

An Act to amend two Acts, made in the twenty-sixth year of King George the Second, and the twenty-eighth year of the reign of his present Majesty, respecting the performance of Quarantine; for punishing persons acting contrary to any Order in Council, which may be made for laying any embargo on ships or vessels, or for prohibiting or regulating the exportation of any goods, wares, or merchandize; to prevent the fraudulent importation of Glass into this kingdom; for permitting the removal of Coffee and Cocoa coastwise, for the greater convenience of exportation, to authorize the Commissioners of the Customs to return the duties paid on goods imported which shall be lost or destroyed before the landing thereof, to prevent vessels, licenced by the Admiralty, from being engaged in any trade or employment not permitted by their licences; for permitting wines put on board any of his Majesty's ships, to be removed from one ship to another, without being first landed and warehoused, and for extending the Provisions of an Act, made in the thirty-third year of the reign of his present Majesty, to wines delivered into the charge of the Collector and Comptroller of his Majesty's Customs at the port of Falmouth.

An Act for increasing the Rates of Subsistence to be paid to Innkeepers and others on quartering soldiers.

An Act for making compensation to the proprietors of Lands and Hereditaments purchased in pursuance of an Act, made in the thirty-fourth year of the reign of his present Majesty, for the better securing his Ma-

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jetty's Batteries and other Works, in the counties of Kent and Devon, and to certain owners and occupiers of lands, who have sustained any loss or damage in consequence of the said act.

An Act for paving, repairing, cleaning, lighting, and watching the highway, streets and lanes, in the town and port of Hythe, and liberty thereof, in the county of Kent, and for removing and preventing nuisances and annoyances therein.

An Act to amend an act made in the twenty-fourth year of the reign of his present Majesty, for building a bridge over the river Ouse, at Newhaven, in the county of Sussex.

An Act for enlarging the powers of the Company of Merchants, of the city of Edinburgh.

An Act for continuing for twenty-one years, and from thence to the end of then next session of Parliament, the term, and amending the powers of two acts, respectively made in the twenty-sixth year of the reign of his late Majesty King George the Second, and in the eighteenth year of the reign of his present Majesty, for repairing the road from Penrith to Chalk Beck, with a branch from the said road, upon Castlefowerby Pasture to Caldbeck, all in the county of Cumberland.

An Act for continuing, for the term of twenty-one years, and from thence to the end of the then next session of Parliament, the term, and altering and enlarging the powers of an act, passed in the seventeenth year of the reign of his present Majesty, for repairing and widening the road from a place, called Crouch Hill, in the parish of Henfield, to the turnpike-road, leading from Brighthelmston to Cuckfield, and from the east side of the said turnpike road to the town of Ditchling, in the county of Sussex, and also, for repairing and widening the road from Ubley's Farm, in the parish of Hinsperpoint, to the Marle Pit opposite to Newtimber Broad-lane, in the said county.

An Act for repairing and widening several roads, in the county of Dumfries, to continue in force until the 1st day of May, one thousand eight hundred and nineteen, and from thence to the end of the then next session of Parliament; and for converting the statute labour, within the said county, into money, and applying the same towards repairing the highways, within the said county.

An Act for more effectually repairing, widening, and improving the road from Sombe Bridge, through Winsley and Bradford to Steaverton, and the road from Bradford Bridge to Cockhill Gate, and the road from the bottom of Malon's-lane, near the town of Bradford, all in the county of Wilts, to join the turnpike road, leading from the city of Bath to Kingdown, at or near Bathford Bridge, in the county of Somerset, and also several other roads, leading from, or near the said roads in the said county of Wilts, and for maintaining a bridge over the river Avon, at Stokeford, in the same county.

An Act for continuing for twenty-one years, and from thence to the end of the next session of Parliament, the term and enlarging the powers of two several acts, passed in the twenty-fifth year of the reign of his late Majesty King George the Second, and in the nineteenth year of the reign of his present Majesty, for repairing the road, from the town of Cirencester to the town of Stroud, and that part of Rodborough Hill, which leads to Dudsbridge, and also, the road leading from Cirencester towards Bidley, so far as the bottom of Gulph Hill, all in the county of Gloucester.

An Act for more effectually repairing, widening, altering and improving the road from the town of Manchester, by a place called the White Smithy, in the

the township of Crumpton, to the township of Rochdale; and also the road from the said place, called the White Smithy, by a place called Besses of the Barn, to the town of Bury; and also, the road from the said place called Besses of the Barn to Radcliffe Bridge, and also the lane called Sheepfoot Lane, in the township of Farnworth, all in the County Palatine of Lancaster.

An Act for enlarging, for the term of twenty-one years and from thence to the end of the then next session of Parliament, the term and powers of an Act, made in the eighteenth year of the reign of his present Majesty, for repairing and widening the roads leading from the city of Gloucester, towards Cheltenham, and Tewkesbury, in the county of Gloucester.

An Act for continuing for twenty-one years, and from thence to the end of the then next session of Parliament, the term of two Acts made in the twenty-fourth year of the reign of his late Majesty King George the Second, and in the eighth year of his present Majesty, so far as the same relate to the roads from the top of Crickley Hill, in the county of Gloucester to Frog Mill, through the towns of Northleach, Burford, and Witney, and the parishes of Handborough, and Bladon to Campsfield, in the parish of Kidlington, in the county of Oxford, and also the road from Campsfield, to the turnpike road, at or near Enslow Bridge, in the said county of Oxford.

April 21, 1798. An Act to empower his Majesty to secure and detain such persons as his Majesty shall suspect are conspiring against his Person and Government.

May 7, 1798. An Act for raising the sum of seventeen millions by way of Annuities.

An Act for declaring the validity of two Orders in Council, dated the 6th day of August, one thousand seven hundred and ninety-four, and the thirtieth day of March, one thousand seven hundred and ninety-eight, and for enlarging the time of appealing in Prize Causes; and for permitting appeals to be prosecuted after such time shall have elapsed, in such special causes as his Majesty by an Order in Council shall authorize.

An Act to amend an act, passed in the twenty-seventh year of his present Majesty's reign, entitled, "An act to amend an act for allowing the importation and exportation of certain Goods, Wares, and Merchandize, in the Ports of Kingston, Savannah la Mar, Montego Bay, and Santa Lucia, in the island of Jamaica, in the Port of St. George, in the island of Grenada, in the Port of Roseau, in the island of Dominica, and in the Port of Nassau, in the island of New Providence, one of the Bahama Islands, under certain regulations and restrictions."

An Act to vary the line of the Kennet and Avon Canal, authorized to be made by two acts, passed in the thirty-fourth and thirty-sixth years of the reign of his present Majesty, and also to extend the powers of, and to amend the said acts.

An Act to amend an act, made in the twenty-eighth year of the reign of his present Majesty, for enlarging and improving the harbour of Leith.

An Act to incorporate certain persons therein named and their successors, with proper powers for the purpose of continuing a Manufactory of Plate Glass, originally established under an act, passed in the 15th year of his present Majesty's reign, which is now expired.

An Act for continuing for twenty-one years and from thence to the end of the next session of Parliament, the term, and altering the powers of two acts, passed in the twenty-ninth and thirty-first years of his present Majesty's

His Majesty's reign, for staffing and repairing the road from the city of Glasgow by Muirkirk, to the confines of the county of Ayr, and other roads communicating therewith, and the road from the village of Corbals and New Bridge of Glasgow, by the chapel of Cambuslang, till it joins the road from Hamilton by Buirbank towards Eaglesham, in the county of Renfrew; and for building a bridge over the river Clyde at Dalmarnock, or Farm Ford.

An Act for more effectually repairing several roads in the counties of Sterling, Dumbarton, and Perth.

An Act for making a new road or free street from Freeschool-street, Southwark, to Dockhead, and from thence through Hickman's-court, otherwise Rose-court, to Lilliput-Hall Bridge in Bermondsey; and for enlarging for the term of twenty-one years, and from thence to the end of the then next session of Parliament, the term and powers of three acts, passed in the twenty-second year of his late Majesty King George the Second, and in the seventh and thirty-first years of his present Majesty, for making a new road from New-street, in Southwark, to and through the several places therein mentioned, and for repairing the same, and other roads adjoining.

An Act for continuing for twenty-one years and from thence to the end of the then next session of Parliament, the term, and altering and enlarging the powers of an act, passed in the seventeenth year of the reign of his present Majesty, for repairing and widening the road from the town of Halifax, in the West Riding, of the county of York, to the town of Sheffield, in the same Riding, so far as relates to the road from Huddersfield to Penistone.

An Act for making and maintaining a road from near Dinwoodie Green, in the county of Dumfries, to or near Elvanfoot, in the county of Lanark.

An Act to continue for twenty-one years, and from thence to the end of the then next session of Parliament, the term, and alter the powers of an act, passed in the 18th year of the reign of his present Majesty, for repairing the roads from Whistle Bridge, in the parish of Barwick, in the county of Somerset, to the turnpike road in the parish of Chairminster, in the county of Dorset; and from the Cross in the town of Maiden Newton, to a stream of water in the parish of South Perrott, in the county of Dorset; from Furze Moor Gate, in the parish of Broadwinfor to Lenham's Water, in the parish of Beaminster; from Bugler's Corner, in the town of Beaminster, to the Dorsetshire Inn, in the parish of Woolcome, and from the town of Frampton, to the western turnpike-road near Steepleton, in the said county of Dorset.

May 10, 1798. An Act for granting to his Majesty additional duties on Salt.

An Act for granting to his Majesty an additional duty of excise upon Tea, and for repealing so much of an act, made in the last session of Parliament as charges, a duty of five pounds *per centum*, upon Tea imported into, or sold in Great-Britain.

An Act for repealing the duties on Houses, Windows, and Lights on inhabited Houses, and on Clocks and Watches, and for granting to his Majesty other duties on Houses, Windows, and Lights, and on inhabited Houses in lieu thereof.

An Act for repealing the duty upon Male Servants, Carriages, Horses, Mules, and Dogs, and for granting to his Majesty other duties in lieu thereof.

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An Act to prevent during the war, persons residing or being in Great-Britain, from advancing Money or Effects for the purchase or on the credit, of debts owing to any of the Governments in Switzerland, or any Bodies Politic or Corporate, or any persons therein, without licence for that purpose; for extending the provisions of an act, made in the thirty-third year of the reign of his present Majesty, more effectually to prevent, during the present war between Great-Britain and France, all traitorous correspondence with, or aid or assistance being given to his Majesty's enemies, to Switzerland, and also the provisions of an act made in the thirty-fourth year of the reign of his present Majesty, for preventing Money or Effects in the hands of his Majesty's subjects, belonging to or disposable by any persons resident in France, being applied to the use of the persons exercising the powers of Government in France, and for preserving the property thereof, for the benefit of the individual owners thereof, to the United Provinces and to Switzerland, and to the persons exercising the powers of Government therein, and also to the persons territories and places under their Government.

An Act to enable his Majesty to call out a part of the Militia in that part of Great-Britain, called Scotland, and to amend an act, made in the last session of Parliament, entituled, "An Act to raise and embody a Militia Force in that part of Great-Britain, called Scotland."

An Act for the better paving, lighting, and cleansing of the streets, lanes, and other public passages and places, in the town of Newark upon Trent, in the county of Nottingham, and for removing the Market for Butchers' Meat, in the said and for regulating Market, and for repealing an act made in the twenty-seventh year of the reign of her late Majesty Queen Elizabeth, entituled, "An Act for the paving of Newark upon Trent, in the county of Nottingham."

An Act to continue for the term of twenty-one years, and from thence to the end of the then next session of Parliament, two acts, severally passed in the twenty-ninth year of the reign of King George the Second, and in the seventeenth year of the reign of his present Majesty, for repairing the roads from Harnam Hill, near the city of New Sarum, in the county of Wilts, to an intrenchment on Askerwell Hill, in the county of Dorset, and from the Index Post on the side of Harnham Hill aforesaid, in the county of Wilts.

An Act for continuing for twenty-one years, and from thence to the end of the then next session of Parliament, the term, and altering and enlarging the powers of two acts, made in the twenty-sixth year of the reign of King George the Second, and the nineteenth year of his present Majesty, for repairing the road from the city of Culstoe to the town of Penrith, in the county of Cumberland, and from the said town of Penrith to Emont Bridge, which divides the counties of Cumberland and Westmoreland.

May 26, 1798. An Act for granting to his Majesty the sum of two hundred thousand pounds to be issued and paid to the Governor and Company of the Bank of England, to be by them placed to the account of the Commissioners, for the reduction of the National Debt.

An Act to alter and amend so much of an act, passed in this present session of Parliament, entituled, "An act for granting an aid to his Majesty, by a Land Tax to be raised in Great-Britain, for the service of the year one thousand seven hundred and ninety eight," as relates to the qualification of Commissioners.

An Act for the more speedy and effectual manning of his Majesty's Navy.

An Act for vesting divers Lands and Hereditaments, in the parish of Halifax, in the county of York, in trustees and their heirs, upon certain trusts therein mentioned, discharged from all claims of the Crown, in respect of any forfeiture incurred under, or by virtue of the Statute of Mortmain, or the laws relating to Mortmain.

An Act for re-building the Workhouse of the parish of St. Sepulchre, in the city of London, and for the better relief and employment of the poor in the said parish.

An Act for extending the Neath Canal Navigation, and for amending an act, passed in the thirty-first year of the reign of his present Majesty, for making the said Canal.

An Act for amending and enlarging the powers of an act, passed in the thirty-first year of the reign of his present Majesty, entitled, "An act for making and maintaining a Navigable Canal from, or from near to the town of Birmingham, in the county of Warwick, to communicate with the river Severn, near the city of Worcester."

An Act for making and maintaining a Navigable Canal, or Canal and inclined plane or railway, from and out of the Newcastle under Lyme Canal, to the Canal of Sir Nigel Bowyer Gresley, Bt. near the town of Newcastle under Lyme; and also a branch of Canal, or inclined plane or railway, from and out of the said last mentioned Canal, at or near Apedale, to certain Coal and other Works, all in the county of Stafford.

An Act for confirming and carrying into execution certain Articles of Agreement made and entered into between Bailby, Lord Bishop of London; Thomas Wood, Esq.; Sir John Frederick, Bt. and Arthur Stanhope, Esq.; Sir John Morhead, Bt. and Dame Elizabeth, his wife, and Robert Thistlethwayte, Esq. and Selina, his wife, and the Company of Proprietors of the Grand Junction Canal, and for other purposes therein mentioned.

An Act to enable the Company of Proprietors of the Canal Navigation from Manchester, to or near Ashton under Lyme and Oldham, to finish and complete the same, and the several Cuts and other Works authorized to be made and done by them, by the several acts passed for that purpose, and for amending the said acts, and granting to the said Company further and other powers.

An Act to alter and enlarge the power of an act, passed in the twenty-seventh year of the reign of his present Majesty, entitled, "An act for dividing the parish of St. James, in the city and county of Bristol, and county of Gloucester, and for building a Church, and providing a Cemetery or Church-yard, and Parsonage House, within the new parish."

An Act for altering and enlarging the powers of two acts, passed in the thirty-second and thirty-fifth years of the reign of his present Majesty, for making, amending, widening, and keeping in repair, the roads from the New Bridge over the water of Almond, on the confines of the counties of Edinburgh and Linlithgow, by Bathgate, to Baillican, in the county of Lanerk, and certain branches of road, from the said line of road, and for the other purposes therein mentioned.

An Act for continuing for twenty-one years, and from thence to the end of the then next session of Parliament, two acts, the one passed in the twenty-sixth year of the reign of his late Majesty King George the Second, entitled, "An act for repairing and widening the roads from Loucombe Corner, in the parish of Winterflow to Harnham Bridge, in the county of Wilts, and from the west corner of St. Anne's Street, in the city of New Sarum, to the parishes of Landford and Brooke, and

from Corner to Billing, and from Langford aforesaid, through Owen and Tetwood, to Billing aforesaid; in the county of Southampton; and the other passed in the twelfth year of the reign of his present Majesty to continue and enlarge the term and powers of the said act; and for repairing and widening the road from the Romley and Ringwood turnpike road, near the house of Francis Fry, to Lindhurst, and from a place called Hampton Ford or Lamb's Corner, in the said county of Southampton, and for repairing the footways within the said city.

An Act for continuing for twenty-one years, and from thence to the end of the then next session of Parliament, the term, and enlarging the powers of two acts, made in the thirty-second year of the reign of King George the Second, and the nineteenth year of his present Majesty, for repairing and widening the road from Dewsbury to Ealand, in the West Riding of the county of York.

An Act for continuing for twenty-one years, and from thence to the end of the then next session of Parliament, the term, and enlarging and altering the powers of two acts, the one passed in the twenty-sixth year of the reign of King George the Second, and the other in the seventeenth year of his present Majesty's reign, so far as the same relate to the road from Bradford, through Adwalton to Wakefield, in the county of York.

An Act for continuing for twenty-one years, and from thence to the end of the then next session of Parliament, the term, and enlarging and altering the powers of two acts, the one passed in the twenty-sixth year of the reign of King George the Second, and the other in the seventeenth year of his present Majesty's reign so far as the same relate to the road from Doddy Hill, through Beckwithshaw to Kilinghally, and from Beckwithshaw to the south-west corner of Harrogate inclosures, in the county of York.

An Act for more effectually repairing, widening, altering, and improving the roads from the east end of Monk Bridge, near the city of York to New Malton, and from thence to Scarborough, in the North Riding of the county of York, and also from Spittle House, in the East Riding of the said county, to Scarborough aforesaid.

An Act for continuing for twenty-one years; and from thence to the end of the then next session of Parliament, the term, and enlarging the powers of an act, passed in the twenty-ninth year of the reign of his present Majesty, for repairing and widening the road from Rochdale-lane End, in the village of Haywood, in the parish of Bury, to a place called the Land's End, in the parish of Frestwich, in the county palatine of Lancaster.

June 1, 1798. An Act to continue until the 1st day of August, one thousand eight hundred, and until the end of the then next session of Parliament, and amend an act made in the thirty-third year of the reign of his present Majesty, entitled, "An act for establishing regulations respecting Aliens residing in this kingdom, or resident therein in certain cases."

An Act to regulate the trial of Causes, Indictments, and other Proceedings, which arise within the counties of certain cities and towns, or persons within that kingdom.

An Act for authorizing the billeting such troops of Yeomanry Cavalry as may be deemed of assembling for the purpose of being trained together, and for exempting from the payment of certain duties, persons providing horses for the said Yeomanry Cavalry.

An Act for paving the footways, and cleansing, lighting, and regulating the streets, lanes, and other public passages and places, within the town

of Wincanton in the county of Somerset, and for removing and preventing nuisances, annoyances, and obstructions therein.

An Act for amending and enlarging the powers of an Act, passed in the thirty-third year of the reign of his present Majesty, for making and maintaining a Navigable Canal from the river Dunn, Navigation Cut, at or near Stanforth, in the West Riding of the county of York, to join, and communicate with the river Trent at, or near Keadby, in the county of Lincoln; and also a collateral cut from the said canal, to join the said river Dunn, in the parish of Thorne, in the said Riding.

An Act for repairing the roads from the Stone Pillar upon Alconbury Hill to Wansford Bridge, and from Norman Cross to the south end of Peterborough Bridge, all in the county of Huntingdon, and for repealing certain Acts relating thereto.

An Act to continue for twenty-one years, and from thence to the end of the then next Session of Parliament, the term, and amend the powers of three Acts, passed in the twenty-second, and twenty-ninth years of the reign of King George the Second, and in the sixteenth year of the reign of his present Majesty, for repairing the road from Wansford Bridge, in the county of Northampton, to the town of Stamford in the county of Lincoln, and from Stamford, aforesaid, to the Market-Cross in the town of Bourne, in the said county of Lincoln, and from the North end of Stamford Bridge, to Scotgate, both in Stamford, aforesaid.

An Act for continuing for twenty-one years, and from thence to the end of the then next Session of Parliament, the term, and altering and enlarging the powers of two Acts, the one passed in the twenty-ninth year of the reign of his late Majesty King George the Second, and the other in the seventeenth year of the reign of his present Majesty, for repairing and widening the road from the eighteenth mile stone beyond Willoughby Hedge, through the town of Mere, in the county of Wilts; and through Wincanton to Charlton Houthorn; and from thence to Milborne Port; and from Willoughby Hedge, aforesaid, to the West end of Long Lane, in Kilmington; and from Wincanton, aforesaid, to the Sherbourn Turnpike, Cross Gate, on Castle Hill: and from Wincanton to Sparkford, in the county of Somerset, and also for altering, improving, and keeping in repair, several other roads communicating therewith.

An Act for more effectually amending, widening, altering, improving, and keeping in repair, the road leading from the town of Rochdale, in the county Palatine of Lancaster, to the town of Burnley, in the said county.

An Act for continuing for twenty-one years, and from thence to the end of the then next Session of Parliament, the term of an Act, made in the sixteenth year of the reign of his present Majesty, for amending and keeping in repair, the road from Doncaster to the Turnpike road which leads from Bawtry to Retford, in the counties of York and Nottingham, and for amending the said Act.

An Act for continuing, for the term of twenty-one years, and from thence to the end of the then next Session of Parliament, the term and altering and enlarging the powers of an Act, passed in the seventeenth year of the reign of his present Majesty, for repairing and widening the road leading from the May Pole in the town of Henfield, over Poyning's Common, to the town of Bightonstone, and from Poyning's Common, aforesaid, to High Cross, in the parish of Albourne, and from thence, for the distance of two furlongs of the road or lane, leading towards Twineham, and from the Marle Pit, near the bottom of Saddlecombe Hill,

in the parish of Newtimber, to the Marie Pit fronting Newtimber, Bread Lane, in the same parish, in the county of Sussex; and also, for repairing and widening the road from the end of the two furlongs of the road or lane leading towards Twineham, into Herrings Clappers, in the parish of Twineham, in the said county.

June 11, 1798. An Act for making perpetual, subject to redemption and purchase, in the manner therein stated, the several sums of money now charged in Great Britain as a Land Tax, for one year, from the twenty-fifth day of March, one thousand seven hundred and ninety-eight.

An Act for granting to his Majesty a certain sum of money to be raised by a Lottery.

An Act for granting to his Majesty, a duty on Certificates, issued with respect to Armorial Bearings or Ensigns.

An Act for regulating the payment, until two months after the commencement of the next Session of Parliament, after the end of the present war, of the duties on Cinnamon, Cloves, Nutmegs, and Mace, and for granting to his Majesty additional duties thereon.

An Act for empowering his Majesty for a time, and to an extent to be limited, to accept the services of such parts of his Militia forces in this kingdom as may voluntarily offer themselves to be employed in Ireland.

An Act to continue until the end of the next Session of Parliament, and amend an Act, passed in the thirty-sixth year of the reign of his present Majesty, chapter one hundred and six, *videlicet*, on the eighth day of May, one thousand seven hundred and ninety-six, for regulating the allowance of the drawbacks, and payment of the bounty on the exportation of Sugar.

An Act for repealing so much of an Act, made in the last Session of Parliament, intitled, "An Act for granting to his Majesty certain Stamp Duties on the several matters therein mentioned, and for better securing the duties on Certificates to be taken out by Solicitors, Attorneys and others, practising in certain Courts of Justice in Great Britain," as imposes a duty on Licences, granted to Stipendiary Curates to perform the office of Curate in any church or chapel.

An Act to amend several Laws of Excise relating to Coach-makers, Auctioneers, Beer and Cyder exported, Certificates and Debentures, Stamps on Hides and Skins, Drawbacks on Wine and Sweets, and Ale and Beer Licences.

An Act to revive and continue, until the first day of January, one thousand seven hundred and ninety-nine. An Act passed in the fourteenth year of his present Majesty, chapter forty-two, *videlicet*, on the thirteenth day of January, one thousand seven hundred and seventy-four, intitled, "An Act to prohibit the importation of light Silver Coin of this realm from foreign countries into Great Britain or Ireland, and to restrain the tender thereof beyond a certain sum," and to suspend the coining of Silver.

An Act for allowing Gold Wares to be manufactured at a standard lower than is now allowed by law.

An Act to prevent the exportation of base Coin to his Majesty's colonies in the West Indies and America.

An Act to defray the Charge of the Pay and Cloathing of the Militia, in that part of Great Britain called England, for one year, from the twenty-fifth day of March, one thousand seven hundred and ninety-eight.

An Act for augmenting the number of Field Officers, and other Officers

of the Militia, and for making his provisions concerning the Forces of this Kingdom.

An Act for making Allowances, in certain cases to Subaltern Officers of the Militia in time of peace.

An Act for indemnifying Governors, Lieutenant Governors, and persons acting as such, in the West India Islands, who have permitted the importation and exportation of goods and commodities in foreign boats.

An Act to continue, until the first day of March, one thousand seven hundred and ninety-nine, an Act, made in the thirty-fifth year of the reign of his present Majesty, intituled, "An Act to continue and amend an Act made in the twenty-sixth year of the reign of his present Majesty, intituled, "An Act for the more effectual Encouragement of the British Fisheries."

An Act for the further encouraging the Southern Whale Fisheries.

An Act for the further Encouragement of the Trade and Manufactures of the Isle of Man; for improving the revenue thereof; and for the more effectual Prevention of Smuggling to and from the said island.

An Act for obviating and removing doubts respecting the holding of the adjournments of the General Courts of the Quarter Sessions of the Peace in and for the County Palatine of Lancaster, and for authorising the Justices of the Peace, acting in and for the said county, to hold an annual General Sessions, and also a Special Sessions, for the purposes therein mentioned.

An Act for amending and rendering more effectual, an Act made in the thirty-fourth year of the reign of his present Majesty, intituled, "An Act to prevent Abuses and Frauds in the Picking, Weighing, and Sale of Butter; and to repeal certain Acts relating thereto."

An Act for amending an Act, made in the last Session of Parliament, intituled, "An Act to amend and render more effectual, an Act, made in the thirty-first year of the reign of his late Majesty, King George the Second, intituled, An Act for the due making of Bread, and to regulate the Price and Assize thereof, and to punish persons who shall adulterate Meal, Flour, or Bread, so far as the same relates to the assize and making of bread to be sold in the City of London, and the liberties thereof, and within ten miles of the Royal Exchange."

An Act for preventing the Depasturing of Forests, Commons, and open Fields, with Sheep or Lambs infected with the Scab or Mange, in that part of Great Britain called England.

An Act for raising a body of Miners in the Counties of Cornwall and Devon, for the Detence of the Kingdom during the present War.

An Act for incorporating the Commissioners appointed for erecting certain Light-houses, in the Northern parts of Great Britain.

An Act for paving the Footways, and for cleansing, lighting, and regulating, the streets, and other public passages, and places, within the borough of Malmesbury in the county of Wilt, and the avenues leading into the same, and for removing and preventing annoyances, and obstructions therein.

An Act for making and maintaining a new Sewer upon Little Tower Hill, within the county of Middlesex.

An Act to explain, amend, and enlarge the powers of an Act, passed in the thirty-fifth year of the reign of his present Majesty, intituled, "An Act for widening and improving the entrance into the city of London, near Temple Bar; for making a more commodious street or passage at Snow Hill; and for raising, on the credit of the Orphans' Fund, a sum of money for those purposes."

An Act to empower Magistrates and Justices of the Peace, in setting the Affize of Bread, to make an allowance on account of the additional duty on Salt.

An Act for authorizing the Trustees therein named, to raise money by rates or assessments, within the parish of St. Peter, in the Borough and Liberty of St. Alban, in the county of Hertford, for the better and more effectually discharging Annuities, heretofore granted to certain persons; who have advanced money towards repairing the church belonging to the said parish.

An Act for continuing until the 1st day of June, one thousand eight hundred and twelve, and from thence to the end of the then next session of Parliament, an act, passed in the seventh year of the reign of his present Majesty, to prevent Frauds and Abuses in the admeasurement of Coals, sold by wharf measure, within the city of London, and the liberties thereof, and between Tower Dock and Limehouse Hole, in the county of Middlesex.

An Act for encouraging the art of making new Models and Casts of Busts and other things, therein mentioned.

An Act for further continuing for thirty-eight years, the term granted by an act of the twenty-fifth year of the reign of his late Majesty King George the Second, for continuing the duty on Two Pennies Scots upon every pint of Ale and Beer sold in the city of Edinburgh and places adjacent, for the purposes therein mentioned, and for explaining and amending the said act.

An Act for draining, preserving, and improving the low grounds and cays, lying in the several parishes, Lordships, Townships, Hamlets, Precincts and Territories of Beverly, St. John, of Beverly, Grovehill, Stand-holme, Sterkhill, Molecroft, Leckonfield, Artam, Scorbrough, Lockington, Ayke, Bewick Wiltholme Kilnwick, Watton Hutton Cran-
wick, Rotsea Featherholme, Skerne, Brigham, Fishholme, Nafferton Lowthorpe, Harpham, Little Keik, Foston, Burton Agnes, Gransmoor, Liffert, Barnston, Ulfam, otherwise Oworm, Skipslea, Dringhede, North Frodingham, Brandes Burton, Moor Town, Leven, Emmorland, Hemp-
holm, Goodhill Houle and Struncheon Hill, all in the East Riding of the county of York.

An Act to alter and enlarge the powers of an act, passed in the thirty-sixth year of the reign of his present Majesty, entitled, "An act for building a Bridge over the river Itchin, at or near Northam, within the liberties of the town and county of the town of Southampton, and for making a road from the said town to the said Bridge, and from thence to communicate with the road leading from West End to Botley, in the county of Southampton."

An Act for continuing for twenty-one years, and from thence to the end of the then next session of Parliament, the term and altering the powers of two several acts, the one passed in the twenty-ninth year of the reign of his late Majesty George the Second, and the other in the 18th year of the reign of his present Majesty, for amending and keeping in repair, the roads leading from a place called Friar Bacon's Study, to Chilton Pond, and from the top of Hinkley Hill, to Foxcombe Hill Gate, in the road leading to Farringdon, in the county of Berks, so far as the same relates to the Oxford district of the said roads therein mentioned.

An Act for more effectually repairing, widening, and improving the road from Tetbury, in the county of Gloucester to and through Malmesbury, to the church-way in Lower Stanton Field, in the county of Wilts,
there

there to join the turnpike-road leading from Chippenham Bridge to ~~Lower~~ Stanton aforesaid, and from Malmesbury to the turnpike-road, at or near Jackament's Bottom, in the said county of Gloucester, and also the road from Farringdon to Cricklade, from thence to Malmesbury, and to the turnpike-road at Aston Turville, and also from Sherstone to the turnpike-road, leading from Tetbury to Bath, and for making, maintaining, widening, and improving several other roads communicating therewith.

An Act for continuing for twenty-one years, and from thence to the end of the then next session of Parliament, and rendering more effectual, several acts for repairing the road from the Golden Farmer, near Bagshot, in the county of Surrey to Hertford Bridge Hill, in the county of Southampton, and from thence to Basingstoke and Odiham, both in the said county of Southampton; and for repairing and widening the road from the southern extremity of Northwansborough-lane, near Odiham aforesaid, over Northwansborough Common, Hook Common, and Bartley Heath, and through the parishes of Botherwicke, Mattingley and Heckfield, to a place called the Bull Inn, in the parish of Swallowfield, on the turnpike-road leading from the town of Reading, in the county of Berks to Basingstoke aforesaid.

June 28, 1798. An Act for the better protection of the trade of this kingdom, and for granting new and additional duties of Customs on Goods imported and exported, and on the tonnage of certain ships, entering outwards or inwards to or from foreign parts, until the signing the Preliminary Articles of Peace.

An Act for raising an additional sum of money, by Loans or Exchequer Bills, for the service of the year one thousand seven hundred and ninety-eight.

An Act to authorize Exchequer Bills to be issued on the credit of the Loan, granted by an act made in this present session of Parliament, entitled, "An act for raising the sum of seventeen millions, by way of Annuities."

An Act to enable the Lords Commissioners of his Majesty's Treasury to issue Exchequer Bills, to a limited amount on the credit of such monies as shall arise by virtue of an act of this session, for granting an aid and contribution for the prosecution of the war, and also on such rates and duties as may be granted by an act of this session, for the better protection of the trade of this kingdom, and for granting new and additional duties of Customs on Goods imported and exported, and on the tonnage of ships entering outwards or inwards.

An Act for transferring the management of the Salt Duties to the Commissioners of Excise, and for repealing the duties on Salt, and the drawbacks, allowances and bounties paid thereout, and for granting other duties, drawbacks, allowances, and bounties thereon.

An Act for the better execution of an act of the present session of Parliament, entitled, "An act for granting to his Majesty an Aid and Contribution for the prosecution of the war."

An Act for explaining and amending certain acts relating to the Stamp Duties, and for extending the Rates and Duties of Stamps, now payable on Vellum, Parchments and Papers, to all other materials.

An Act to explain and amend an act of the present session of Parliament, entitled, "An act for repealing the duties upon Male Servants, Carriages, Horses, Mules, and Dogs, and for granting to his Majesty other duties in lieu thereof."

An Act for abolishing certain offices in the Customs, and for regulating

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ing certain other offices therein, and for applying the fees, which have been received from vacant offices, towards the augmentation of the Superannuation Fund.

An Act for preventing the mischiefs arising from the printing and publishing Newspapers and Papers of a like nature, by persons not known; and for regulating the printing and publication of such Papers in other respects.

An Act more effectually to prevent during the war, persons being his Majesty's subjects, from voluntarily repairing to or remaining in France, or any country or place united to France, or occupied by the armies of France, and to prevent correspondence with such persons, and with his Majesty's enemies.

An Act to amend an act of the present session of Parliament, entitled; "An act to continue until the 1st day of August, one thousand eight hundred, and until the then next session of Parliament, and amend an act, made in the thirty-third year of the reign of his present Majesty, entitled; "An act for establishing regulations respecting Aliens arriving in this kingdom or resident therein, in certain cases."

An Act for the administration of Assets in cases where the execution, to whom Probate has been granted, is out of the realm.

An Act for regulating, until the first day of August, one thousand seven hundred and ninety-nine, the shipping and-carrying of slaves in British vessels from the coast of Africa.

An Act for the better government and regulation of the Free Grammar School of King Edward the Sixth, at Shrewsbury, in the county of Salop.

An Act for separating the two parishes, called the out parish of St. Philip and Jacob, and the parish of St. George, in the county of Gloucester, as to the maintenance of the poor and the repairs of the highways of those parishes, and as to all rates, assessments, and taxes, except the Land Tax, and for providing a Workhouse for the reception of the poor of the said parish of St. George, and for the better relief and management of the poor of both parishes.

An Act for draining and preserving certain lands and fen grounds, lying in the parishes of Outwell, Stow Bardolph, Wimbotsham, and Downham, in the county of Norfolk.

An Act for more effectually widening, repairing, and amending the road from Crossford Bridge, through the townships of Stretford and Hulme, to the town of Manchester, in the county palatine of Lancaster.

June 29, 1798. An Act for enabling his Majesty to raise the sum of One Million for the uses and purposes therein mentioned, and for applying a certain sum of money therein mentioned, for the service of the year one thousand seven hundred and ninety-eight; for further appropriating the supplies granted in this session of Parliament; and for making forth duplicates of Exchequer Bills, Lottery Tickets, Certificates, Receipts, Annuity Orders, lost, burnt, or otherwise destroyed.

An Act for raising the sum of Three Millions by Loans or Exchequer Bills.

An Act to revive, continue until the tenth day of April, one thousand seven hundred and ninety-nine, and amend an act, passed in the last session of Parliament, entitled, "An act for granting to his Majesty additional duties on Distilleries in the several parts of the Highlands of Scotland, therein particularly described for a limited time, and for regulating the duties on Distilleries in the respective districts in Scotland;" and for granting

ing to his Majesty certain additional duties on spirits distilled for consumption, and a duty on unmalted grain, used in distillation in Scotland, and for altering and amending certain other acts of Parliament, for the regulation of Distilleries in Scotland.

An Act for ascertaining the duty payable on Taxed Carria.

An Act for the regulation of the Provisional Force of Cavalry, raised by virtue of two acts of the last session of Parliament.

An Act for the better security and defence of the Town and Port of Liverpool.

By an error of the Press in the Introduction lead to the PUBLIC ACTS, the Session was stated to end on the 23^d of June—it was not pronounced till the 20th of June.

END OF APPENDIX.

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TO

WOODFALL'S

PARLIAMENTARY REPORTS.

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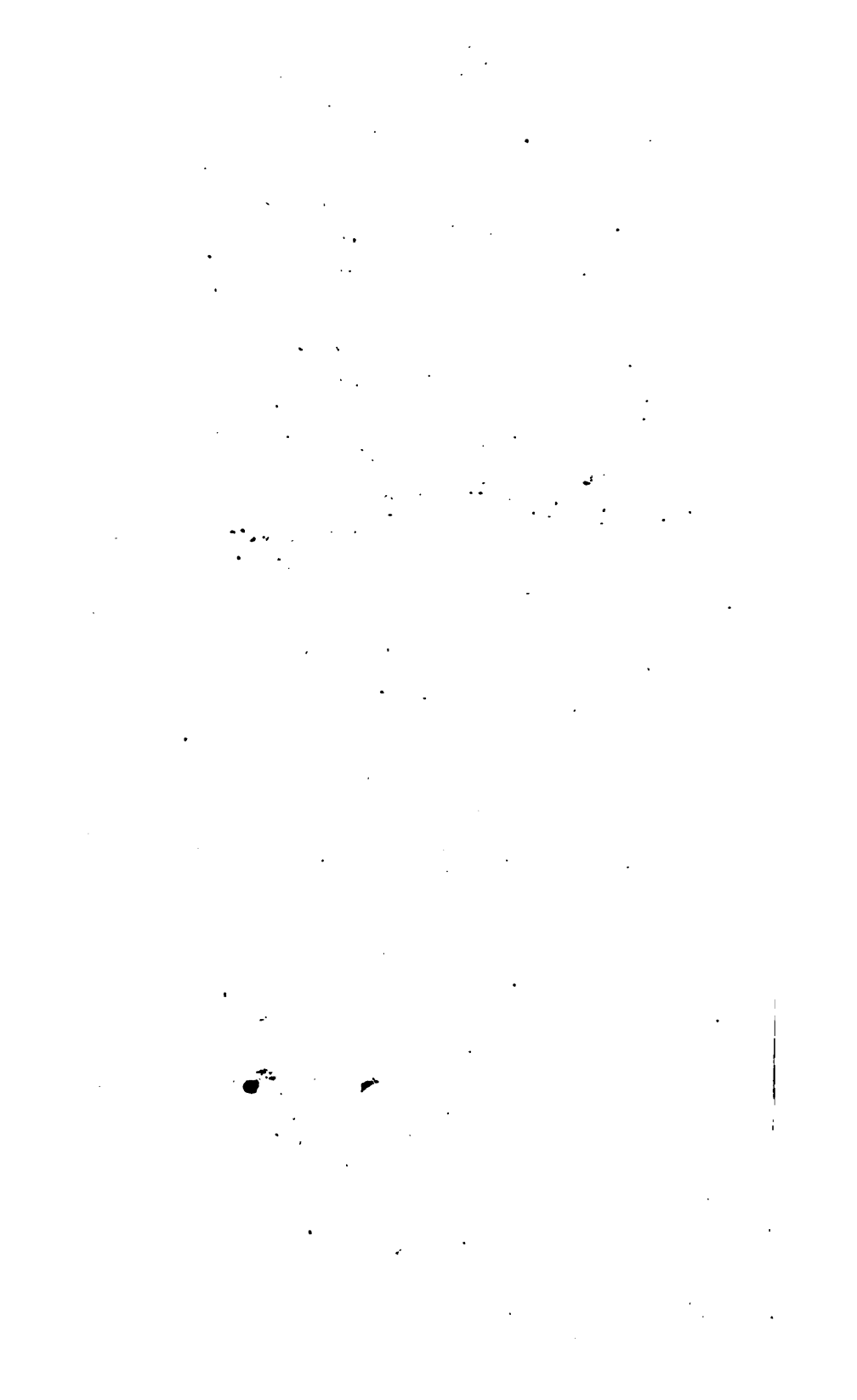
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